

Doorkeeper: "Excuse me, please. Attention Members of the House of Representatives. The House will convene in fifteen minutes. Attention Members of the House of Representatives. The House will convene in five minutes. All persons not entitled to the House floor, please retire to the gallery."

Speaker Redmond: "The House will come to order. Members please be in their seats. Reverend Krueger, the House Chaplain."

Reverend Krueger: "In the name of the Father, the Son, and the Holy Ghost. Amen. Oh Lord, bless this House to Thy service this day. I have been asked to remember, in the prayers of the House, the two children of Mark and Paulette O'Brien. Mark serves on the Speaker's staff. His son, Kyle, is in very serious condition at the house ...at the hospital. Let us pray. O Heavenly Father, watch with us as we pray Thee over Thy sick servant, Kyle, for whom our prayers are offered and grant that he may be restored to that perfect health which is alone Thine to give, through Jesus Christ our Lord. Amen. We have a guest Chaplain this morning who will be introduced by a Member of the House."

Schneider: "Thank you, Father. Today's guest Chaplain is Reverend Joel 'Krugel'. He's from Bolingbrook. He'll offer the invocation."

Reverend 'Krugel': "Let's pray. Our Father, remind us today that your Kingdom has dawned upon us through the life of your son, Jesus, and power us to push back the Kingdom of hate and selfishness with your Kingdom of justice, peace, and love. Be with your servants in this place today. Help them to see themselves as people participating, not only in the affairs of mankind, but as people participating in the work of your Kingdom. Give them power to stand for those who are powerless. Grant them your Holy Spirit to lead them into your truth, and, Father, let them call upon your divine



guidance to make choices that will reflect the ethics of your Kingdom. Through Jesus Christ our Lord we pray. Amen."

Speaker Redmond: "Roll Call for attendance. Your switch only. No one's switch other than your own. Well, that's all right. Pledge of allegiance. Representative Grossi."

Grossi (et al): "I pledge allegiance to the Flag of the United States of American and to the Republic for which it stands one Nation under God, indivisible, with liberty and justice for all."

Speaker Redmond: "Roll Call for attendance. Your own switch only. Take the record. The House will stand in recess until the call of the Chair. Huh? Just in...the Committee's still meeting. They need additional time, so...(recess)...The House will come to order. Members please be in their seats. On the Order of Constitutional Amendments, Third Reading, on page 8, appears House Joint Resolution Constitutional Amendment 32. Mr. Clerk."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #32, whereas the Constitution of the United States guarantees the right to life and this right to life should be proclaimed to exist from the moment of conception or fertilization; and whereas, the Constitution of the United States provides that upon application of the Legislature of two-thirds of the States of the United States Congress shall call a Constitutional Convention for proposing Constitutional Amendments; and whereas, millions of abortions have been performed in the United States since the abortion decision of the Supreme Court on January 22, 1973; and whereas, the Congress of the United States has not to date proposed, subject to ratification, a human right Amendment to the Constitution of the United States. Therefore, be it



resolved, by the House of Representatives to the Eighty-first General Assembly of the State of Illinois, the Senate concurring herein, that the General Assembly, pursuant to the authority of Article V of the Constitution of the United States, make application to the Congress of the United States for the calling of a convention for proposing an Amendment to the Constitution of the United States to provide that every human being subject to the jurisdiction of the United States or any state shall be deemed to be a person from the moment of conception or fertilization and entitled to the right to life guaranteed in the United States Constitution and to provide that Congress and the several states shall have concurrent powers to enforce such Amendment by appropriate legislation and be it further resolved that the Constitutional Convention applied for herein shall be held for the sole purpose of considering the Constitutional Amendment described in this Resolution and that the application to Congress made by this Resolution is contingent upon the establishment by Congress within two years after the time two-thirds of the states have made application on this issue and prior to the convening of such convention of rules and procedures for such a limited convention and be it further resolved that copies of this Resolution be transmitted to the President of the Senate of the United States, the Secretary of the Senate of the United States, and the Speaker of the House of Representatives of the United States, the Clerk of the House of Representatives of the United States, to each Member of Congress from this state, and to the presiding officer of each House of the various state Legislatures requesting that several states do also pass an identical application to the United States Congress so as to meet the Constitutional requirements for application for such a convention by



two-thirds of the States. Third Reading of the Constitutional Amendment."

Speaker Redmond: "House Joint Resolution Constitutional Amendment 42."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #42, resolved by the House of Representatives of the Eighty-first General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring, at least six months after the adoption of this Resolution, a proposition to amend Section 12 of Article VI of the Constitution to read as follows: Article VI, the Judiciary. Section 12, election and retention.

(a) Supreme, Appellate and Circuit Judges shall be nominated at primary elections or by petition. Judges shall be elected at general or judicial elections that the General Assembly shall provide by law. A person eligible for the office of Judge may cause his name to appear on the ballot as a candidate for Judge at the primary and at the general or judicial elections by submitting petitions. The General Assembly shall prescribe by law the requirements for petitions.

(b) The office of a Judge shall be vacant upon his death, resignation, retirement, removal, or upon the conclusion of his term without retention in office. Whenever an additional Appellate or Circuit Judge is authorized by law, the office shall be filled in the manner provided for filling a vacancy in that office.

(c) A vacancy occurring in the office of Supreme, Appellate, or Circuit Judge shall be filled as the General Assembly may provide by law. In the absence of a law, vacancies will be filled by appointment by the Supreme Court. A person appointed to fill a vacancy 60 or more days prior to the next primary



election to nominate Judges shall serve until the vacancy is filled for a term at the next general or judicial election. A person appointed to fill a vacancy less than 60 days prior to the next primary election to nominate Judges shall serve until the vacancy is filled at the second general or judicial election following such appointment. (d) Not less than six months before the general election preceding the expiration of his term of office, a Supreme, Appellate, or Circuit Judge who has been elected to that office may file in the office of the Secretary of State a declaration of candidacy to succeed himself. The Secretary of State, not less than 63 days before the election, shall certify the Judge's candidacy to the proper election officials. The names of Judges seeking retention shall be submitted to the electors, separately and without party designation, on the sole question whether such Judge shall be retained in office for another term. The retention elections shall be conducted at general elections in the appropriate Judicial Districts, for Supreme and Appellate Judges, and in the county of residence for Circuit Judges. The affirmative vote of three-fifths of the electors voting on the question shall elect the Judge to the office for a term commencing on the first Monday of December following his election. (e) A law reducing the number of Appellate or Circuit Judges shall be without prejudice to the right of the Judges affected to seek retention in office. A reduction shall become effective when a vacancy occurs in the affected unit. Schedule, this Amendment to Section 12 of Article VI takes effect upon its approval by the electors of this state. Third Reading of the Constitutional Amendment."

Speaker Redmond: "House Joint Resolution Constitutional Amendment 43."



Clerk O'Brien: "House Joint Resolution Constitutional Amendment #43, resolved by the House of Representatives of the Eighty-first General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Sections 2, 5, 7, 8, and 11 of Article IV and Section 2 of Article VIII of the Constitution to read as follows: Article IV, Section 2, legislative composition. (a) One Senator shall be elected from each Legislative District. In the decade following each decennial redistricting, Senators from odd-numbered districts shall be elected for terms of six years and four years, and Senators from even-numbered districts for terms of four years and six years respectively. Odd-numbered and even-numbered districts shall be distributed substantially equally over the state. No Senator may be elected for more than two consecutive terms. (b) Three Representatives shall be elected from each Legislative District. Immediately following any decennial redistricting, the General Assembly by law shall divide the Legislative Districts into three groups. Representatives from one group shall be elected for terms of four years, four years, and two years. Representatives from the second group for terms of four years, two years, and four years, and Representatives from the third group for terms of two years, four years, and four years. No Representatives may be elected for more than three consecutive terms. No political party shall limit its nominations to less than two candidates for Representative in any Legislative District. In elections for Representatives, including those for nominations each elector may cast three votes for one candidate or distribute them equally among no more than



three candidates. The candidates highest in votes shall be declared elected. (c) To be eligible to serve as a Member of the General Assembly, a person must be a United States citizen, at least 21-years-old, and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and re-elected if a resident of the new district he represents for 18 months prior to re-election. (d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is a Senatorial office with more than twenty-eight months remaining in the term, the appointed Senator shall serve until the next general election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy will be a member of the same political party as the person he succeeds. (e) No Member of the General Assembly shall receive compensation as a public official or employee from any other governmental entity for time during which he is in attendance as a Member of the General Assembly. No Member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created by the compensation for which shall have been increased by the General Assembly during that term. Section V, sessions. (a) The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous Body during the two-year period commencing with the



convening of the regular Session of each odd-numbered year. However, the Sessions of the General Assembly shall be limited to 60 Session days plus the additional 14 days for the Veto Session in each calendar year.

(b) The Governor, subject to the approval of the presiding officer of both Houses, may convene the General Assembly or the Senate alone in Special Session by a proclamation stating the purpose of the Session and only business encompassing by such purpose, together with any impeachment, or confirmation or appointments, shall be transacted. Special Sessions of the General Assembly may be al...may also be convened by joint proclamation of the presiding officers of both Houses issued as prescribed by law. (c) Sessions of each House of the General Assembly and meetings of Committees, Joint Committees, and Legislative Commissions shall be open to the public. Sessions and Committee meetings of a House may be closed to the public if two-thirds of the Members elected to that House determine that the public interest so requires, and meetings of Joint Committees and Legislative Commissions may be so closed if two-thirds of the Members elected to each House so determine. Section 7, transaction of business.

(a) Committees of each House, Joint Committees, and the two Houses...of the two Houses and Legislative Commissions may meet on days on which the General Assembly is not in Session and shall give reasonable public notice of meetings, including a statement of subjects to be considered. (b) Each House shall keep a journal of its proceedings and a transcript of its debates. The journal shall be published, and the transcripts shall be available to the public. (c) Either House or any Committee thereof, as provided by law, may compel by subpoena the attendance and testimony of witnesses and the production of books, records, and papers. (d) Joint Committees of



conferences appointed to consider the differences between the Senate and the House of Representatives with respect to any Bill, may consider and make recommendations only in relation to those differences.

Section 8, passage of Bills. (a) The enacting clause of the laws of this state shall be: "Be it enacted by the people of the State of Illinois, represented in the General Assembly." (b) The General Assembly shall enact laws only by Bill. Bills may originate in either House, but may be amended or rejected by the other. (c) No Bill shall become a law without the concurrence of a majority of the Members elected to each House. Final passage of a Bill shall be by record vote. In the Senate, at the request of two Members and in the House, at the request of five Members, a record vote may be taken on any other occasion. A record vote is a vote by 'yeas' and 'nays' entered on the journal. (d) A Bill shall be read by title on three different days in each House. A Bill and each Amendment thereto shall be reproduced and placed on the desks of each Member before final passage. No Bill which has been assigned to a Committee of either House may be amended unless the Amendment is approved by a majority of the Members elected to the House adopting the Amendment. Bills, except Bills for appropriations and for the ^{or} modification, revision, and rearrangement of laws, shall be confined to one subject. Appropriation Bills shall be limited to the subject of appropriations. A Bill expressly amending a law shall set forth completely the Sections amended. No Bill establishing a new state agency shall become law unless it provides for the expiration of such agency or law within five years of the effective date thereof. The Speaker of the House of Representatives and the President of the Senate shall



sign each Bill that passes both Houses to certify that the procedural requirements for passage have been met. Section 11, allowances. A Member of the General Assembly shall receive a per diem allowance for those days the General Assembly is in regular Session, and the Member is in attendance. The amount of such allowance shall be provided by law. A Member shall receive no other salary or allowance for service in the General Assembly, except for reimbursement for reasonable and actual expenses incurred in connection with attendance at a Special Session, or at Committee, or Commission meetings on days the General Assembly is not in Session. Article VIII, Section 2, state finance. The Governor shall prepare and submit to the General Assembly, in each year at a time prescribed by law, a state budget for the ensuing fiscal biennium. The budget shall set forth the estimated balance of funds available for appropriation at the beginning of the fiscal biennium, the estimated receipts, and a plan for expenditures and obligations during the fiscal biennium of each department, authority, public corporation, and quasi-public corporation of the state, every state college and university, and every other public agency created by the state, but not of units of local government or school districts. The budget shall also set forth the indebtedness and contingent liabilities of the state and such other information as may be required by law. Proposed expenditures shall not exceed funds estimated to be available for the fiscal biennium as shown in the budget. (5) The General Assembly by law shall make appropriations for all expenditures of public funds by the state. The General Assembly shall take the appropriations...the General Assembly may make the appropriations for approximately one-half of all the departments, authorities, public corporations, quasi-public corporations of the state,



state colleges and universities, and every other public agency created by the state..."

Speaker Redmond: "Is there a Representative Broom in the chamber?"

Clerk O'Brien: "...in odd=numb..."

Speaker Redmond: "Proceed."

Clerk O'Brien: "...in odd-numbered years and for the remaining one-half in even-numbered years, as provided by law. Appropriations for a fiscal biennium shall not exceed funds estimated by the General Assembly to be available during the biennium. Schedule, if approved by the electors of this state, then this Amendment to Article IV and VIII of the Constitution applies to the re-districting of 1981 and subsequent thereto, and to the nominations and elections of Members of the General Assembly in 1982 and thereafter. All other provisions herein take effect January 14, 1981. Third Reading of the Constitutional Amendment."

Speaker Redmond: "House Joint Resolution Constitutional Amendment 44, Mr. Clerk. Representative Vinson, are you seeking recognition?"

Vinson: "Yes, is it your intention, Mr. Speaker, to go through and read all the Amendments and then go back through for votes on Third Reading?"

Speaker Redmond: "Well, we have to read them in now, so we'll hold them on Third Reading."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #44, resolved by the House of Representatives of the Eighty-first General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 7 of Article V of the Constitution to read as follows:



Article V, the Executive, Section 7, vacancies and other legislative offices. If the Attorney General, Secretary of State, Comptroller, or Treasurer fail to qualify or if his office becomes vacant, the Governor shall fill the office by appointment. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds. The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualifies as may be provided by law. He shall not be subject to removal by the Governor. If the Lieutenant Governor fails to qualify or if the office becomes vacant, it shall remain vacant until the end of the term. Schedule, this Amendment takes effect upon its approval by the electors of this state. Third Reading of the Constitutional Amendment as amended."

Speaker Redmond: "House Joint Resolution Constitutional Amendment...is it 44 next, Mr. Clerk? Forty-six."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #46, resolved by the House of Representatives of the Eighty-first General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 15 of Article VI of the Constitution to read as follows: Article VI, the Judiciary, Section 15, retirement-discipline. (a) The General Assembly may provide by law for the retirement of Judges and Associate Judges as a pres...at a prescribed age. Any retired Judge or Associate Judge with his consent may be assigned by the Supreme Court to judicial service for which he shall receive the applicable compensation in lieu of retirement benefits. A retired Associate Judge may be assigned only as an Associate



Judge. (b) A Judicial Inquiry Board is created. The Supreme Court shall elect two Circuit Judges as members and the Governor shall appoint four persons who are not lawyers and three lawyers as members of the Board. No more than two of the lawyers and two of the non-lawyers appointed by the Governor shall be members of the same political party. The terms of Board members shall be four years. A vacancy on the Board shall be filled from a...for a full term in the manner the original appointment was made. No member may serve on the Board for more than eight years. (c) The Board shall be convened permanently, with authority to conduct investigations, receive or initiate complaints concerning a Judge or Associate Judge, and file complaints with the Courts Commission. The Board shall not file a complaint unless five members believe that a reasonable basis exists, (1) to charge the Judge or Associate Judge with willful misconduct in office, pursuant failure to perform his duties, or other conduct that is prejudicial to the administration of justice or that brings to judicial office into disrepute...disrepute, or (2) to charge that the Judge or Associate Judge is physically or mentally unable to perform his duties. All proceedings of the Board shall be confidential, except the filing of a complaint with the Courts Commission and as provided in Subsection (h) of this Section. The Board shall prosecute the complaint. (d) The Board shall adopt rules governing its procedures. It shall have subpoena power and authority to appoint and direct its staff. Members of the Board who are not Judges shall receive per diem compensation and necessary expenses. Members who are Judges shall receive necessary expenses only. The General Assembly by law shall appropriate funds for the operation of the Board. (e) A Courts Commission is created consisting of one



Supreme Court Judge selected by that Court, who shall be its chairman, two Appellate Court Judges selected by that Court, and two Circuit Judges selected by the Supreme Court. The Commission shall be convened permanently to hear complaints filed by the Judicial Inquiry Board. The Commission shall have authority after notice and public hearing, (1) to remove from office, suspend without pay, censure or reprimand a Judge or Associate Judge for willful misconduct in office, persistent failure to perform his duties, and other conduct that is prejudicial to the administration of justice or that brings the judicial office into disrepute, or (2) to suspend, with or without pay, or retire a Judge or Associate Judge who is physically or mentally unable to perform his duties. (f) The concurrence of three members of the Commission shall be necessary for a decision. The decision of the Commission shall be final. (g) The Commission shall adopt rules governing its procedures and shall have power to issue subpoenas. The General Assembly shall provide by law for the expenses of the Commission. (h) Information obtained or received by the Judicial Inquiry Board in connection with any investigation or hearing pursuant to this Section which reasonably relates to the Judge's or Associate Judge's criminal misconduct shall be furnished to the appropriate State's Attorney within 30 days of the completion or termination of any proceedings of the Board or Commissions, as the case may be. Third Reading of the Constitutional Amendment."

Speaker Redmond: "House Joint Resolution Constitutional Amendment 47."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #47, resolved by the House of Representatives of the Eighty-first General Assembly of the State of Illinois, the Senate concurring herein, that there shall



be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 5 of Article IV of the Constitution to read as follows: Article IV, the Legislature, Section 5, Sessions. (a) The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous Body during the term for which Members of the House of Representatives are elected. (b) The Governor may convene the General Assembly or the Senate alone in Special Session by a proclamation stating the purpose of the Session, but not limiting the Special Session to the consideration of any specific Bill or Bills, and only business encompassed by such purpose, together with any impeachments, or confirmation, or appointments shall be transacted. Special Sessions of the General Assembly may also be convened, subject to the same restrictions, by joint proclamation of the presiding officers of both Houses, issued as provided by law. (c) Sessions of each House of the General Assembly and meetings of Committees, Joint Committees, and Legislative Commissions shall be open to the public. Sessions and Committee hearings of a House may be closed to the public if two-thirds of the Members elected to that House determine that the public interest so requires, and meetings of Joint Committees and Legislative Commissions may be so closed if two-thirds of the Members elected to each House so determine. Schedule, this Amendment takes effect upon its approval by the electors of this state.

Third Reading of the Constitutional Amendment."

Speaker Redmond: "Reading of the Journal."

Clerk O'Brien: "Journal for the 115th Legislative Day, Thursday, April 17, 1980. The House met pursuant to adjournment. The Speaker in the Chair. Prayer by Father William



Krueger, Chaplain. Representative Ackerman led the House in a pledge of allegiance. By direction of the Speaker, a Roll Call was taken to ascertain attendance of Members..."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we dispense with the reading of the Journal and that the Journal #115 of April 17, 1980, Journal #116 of April 22, 1980, and Journal #117 of April 23, 1980 be approved as read."

Speaker Redmond: "You've heard...any discussion? You've heard the Gentleman's motion. Question's on the motion. Those in favor say 'aye'. 'Aye'. Opposed, 'no'. The 'ayes' have it. The motion carried. The reading of the Journal is dispensed with, and the Journal is approved as read. Roll Call for attendance. Former Member... probably the...former Representative Carl 'Hunsinger'. Senate Bills, First Reading."

Clerk O'Brien: "Senate Bill 1615, Meyer. A Bill for an Act making appropriations for the ordinary and contingent expense of the Illinois Environmental Facilities Finance Authority. First Reading of the Bill. Senate Bill 1652, Winchester. A Bill for an Act to provide for the transaction of certain funds within the State Treasury. First Reading of the Bill. Senate Bill 1981, Ryan. A Bill for an Act to amend Sections of an Act making appropriations for the ordinary and contingent expense of the Health Finance Authority. First Reading of the Bill."

Speaker Redmond: "House Bills, Second Reading, on page 3. Category of appropriations. 3001."

Clerk O'Brien: "House Bill 3001. A Bill for an Act to provide for the ordinary and contingent expense of the State Comptroller. Second Reading of the Bill. Amendment #1 was adopted...was adopted in Committee."



Speaker Redmond: "Any motions with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Redmond: "Third Reading. 2024. Out of the record.
3029."

Clerk O'Brien: "House Bill 3029. A Bill for an Act making
appropriations for the ordinary and contingent expense
of the Department of Registration and Education. Second
Reading of the Bill. Amendment #1 was adopted in
Committee."

Speaker Redmond: "Any motions with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Redmond: "Third Reading. 3045."

Clerk O'Brien: "House Bill 3045."

Speaker Lechowicz: "Take the Bill out of the record. House
Bill 3046. Bless you."

Clerk O'Brien: "House Bill 3046. A Bill for an Act making
appropriations for the ordinary and contingent expense
of the Department of Law Enforcement. Second Reading
of the Bill. Amendment #1 and 2 were adopted in
Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor? The Lady
from Cook, Mrs. Pullen."

Pullen: "I have made an agreement with the Committee, Mr.
Speaker, to..."

Speaker Lechowicz: "I'm sorry, ma'am. I can't hear you."

Pullen: "I made an agreement with the Committee, Mr. Speaker,
to hold this Bill on Second Reading."

Speaker Lechowicz: "Take the Bill out of the record."

Pullen: "Thank you."



Speaker Lechowicz: "House Bill 3059."

Clerk O'Brien: "House Bill 3059. A Bill for an Act amending Sections of an Act making appropriations for the ordinary and contingent expense of the Department of Veteran's Affairs. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Lechowicz: "Third Reading. House Bill 3062."

Clerk O'Brien: "House Bill 3062. A Bill for an Act to amend Sections of an Act making appropriations for the ordinary and contingent expense of the Fair Employment Practices Commission. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Lechowicz: "Third Reading. House Bill 2822."

Clerk O'Brien: "House Bill 2822. A Bill for an Act to reduce the State Occupation and Use Tax on food for human consumption. Second Reading of the Bill. Amendments 1, 2, and 3...Amendments 1, 2, and 3 were adopted in Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Lechowicz: "Third Reading. On the Calendar on page 5 appears House Bills, Third Reading, Short Debate Calendar. House Bill 3102."

Clerk O'Brien: "House Bill 3102. A Bill for..."

Speaker Lechowicz: "Mr. Friedrich."



Clerk O'Brien: "A Bill for an Act to amend an Act in relation to construction, operation, regulation, and maintenance of a system of toll highways and to create the Illinois State Toll Highway Authority. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, Members of the House, this series of Bills are products of the Illinois...of the Legislative Audit Commission and working with the Auditor General, and this merely sets up the system of revolving funds for the Illinois Toll Highway Commission and makes them more directly responsible on an audit. As far as I know, there's no objection."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, a question for Mr. Friedrich."

Speaker Lechowicz: "Indicates he'll yield."

Giorgi: "Are you planning on having change funds at every tollway exchange...that issues change? Are you making it easier to pilfer money from the Tollway Authority?"

Friedrich: "This provides for a change fund, and it's been accepted by them. It just puts a better control on the total fund."

Giorgi: "Who asked for it?"

Friedrich: "The Legislative Audit Commission and the Auditor General in response to an audit."

Giorgi: "In other words, are you suggesting that the money is going to be taken from the exchanges and put into a change fund in that exchange area and not run through the Central Tollway Authority? Is that what you're saying?"

Friedrich: "This will make a central control of all the money in the hands of the Toll Highway Authority, but it will make it a workable plan which can be audited."

Giorgi: "Wait, that's the way it is now, isn't it? You're



changing it. You're asking for a change here. You're asking the change be maintained at the Tollway Exchange. You're telling me that the money isn't going to go through the central authority. You're going to make it...you're going to make little piles of silver and all of use - change. Is that what you're telling me?"

Friedrich: "No, I'm not saying that."

Giorgi: "Well, you're not telling me anything then. Would you please clarify what the Bill does?"

Friedrich: "This is in response to a criticism of the Auditor General in the way that money is being handled by the Toll Highway Authority, and this will provide for a stricter control of the excess money that they have."

Giorgi: "Well, tell us where the Auditor General is criticizing them. Where is the deficiency? I don't know what you're talking about."

Friedrich: "Well, I'm not..."

Giorgi: "I think you ought to pull it out of the record."

Friedrich: "This provides the authority to do what they've been doing illegally in violation of the present law, Mr. Giorgi."

Giorgi: "How long has this been going on illegally?"

Friedrich: "Well, for a long time apparently. They've been criticized before, but we've finally put it into legislation they've agreed to."

Giorgi: "Did they find any money missing?"

Friedrich: "No, I can't say that they have, but we...we don't ...that's not necessarily the things...the way laws are made , predicated on what it is or not. You... sometimes you...if an agency has a need for something that's illegal, then it's...and if it creates no problems, then we authorize it."

Giorgi: "Well, you haven't explained the Bill fully enough for me. You haven't clarified any of the problems. I'm going to have to vote against it. I think you're



loosening the money operation of the Tollway Authority, and everyone knows that that's the golden goose. When that was first...when the Tollway Authority was first enacted in 1955, they told us the break even point was 32 million dollars. They're up to 85 million dollars now. We don't know what they're doing with the money. I think you're pulling the whole wool over our eyes today."

Friedrich: "Well, I can assure you the Auditor General and the Audit Commission are not the fast and loose...the guy that you're trying to describe."

Speaker Lechowicz: "The question is, 'Shall House Bill... is there any further debate? The question is, 'Shall House Bill 3102 pass?' All in favor vote 'aye'. All opposed vote 'nay'. I believe this Bill has been recommended by the Audit Commission and by the Auditor General. Is that correct? All right. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 124 'ayes', 12 'noes', 2 recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Kindly record Mr. VonBoeckman as 'aye' on the last Bill. In the same series appears House Bill 3103. Mr. Friedrich."

Clerk O'Brien: "House Bill 3103. A Bill for an Act to repeal authority for the Risk Management Revolving Fund. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "This fund is presently not in use by the Department of Administrative Services, and at the suggestion and after criticism by the Auditor General, we are repealing the Risk Management Revolving Fund."

Speaker Lechowicz: "Any discussion? The question is, 'Shall House Bill 3103 pass?' All in favor vote 'aye'. All opposed vote 'nay'. Have all voted who wish? Have all



voted who wish? The Clerk will take the record. On this question there's 143 'ayes', no 'nays', none recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3105."

Clerk O'Brien: "House Bill 3105. A Bill for an Act in relation to planning by the Department of Transportation. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, the law presently provides that the Department of Transportation will have a 20 year planning...plan in existence. This turned out to be a physical impossibility and does not serve any useful purpose. In fact, about five years, considering the amount of money available, is as far in advance as it's practical to plan. So, this merely eliminates the requirement to have a 20 year plan on file."

Speaker Lechowicz: "Any discussion? The question is, 'Shall House Bill 3105 pass?' All in favor vote 'aye'. All opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 144 'ayes', 1 'nay', none recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. 3108."

Clerk O'Brien: "House Bill 3108. A Bill for an Act authorizing temporary inter-agency transfers of state employees. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, Members of the House, a few years ago we had a little trouble in the Appropriations Committee determining whose payroll some of the state employees were on, and this merely provides for a temporary assignment of a state employee to a different agency. It provides that the person shall be paid for



the agency for which he is employed, and it provides for one extension of that period. It does not take away from the employee any of his rights and seniority in the agency in which he's permanently employed."

Speaker Lechowicz: "Is there any discussion? This matter's on Short Debate. Let's remove it from Short Deb...yes. The Gentleman from Cook, Mr. Jaffe."

Jaffe: "Would the Gentleman yield to a question?"

Speaker Lechowicz: "Indicates he will."

Jaffe: "Yeah, a little while ago we had Governor whose name was Walker, and, of course, he used to hide payrollers in this particular man...fashion, didn't he? He would hide them. He would take one employee from one agency and put them on the payroll of another agency. Isn't that correct?"

Friedrich: "That's true, and this would preclude that by saying that when, for example, if somebody was taken from DOT and put in the Governor's Office, he'd have to be paid out of the Governor's payroll and out of his appropriation."

Jaffe: "Well..."

Friedrich: "So, I think...you could find them."

Jaffe: "Well, would you explain how that works then, Mr. Friedrich, because I want to make sure that we're not legitimizing something that we were very, very critical about in past years."

Friedrich: "No. The..."

Speaker Lechowicz: "Excuse me."

Friedrich: "The problem in the...Representative Jaffe, the problem before was that we had people on the DOT payroll, for example, who actually, as a matter of fact, were working in the Governor's Office. They were on DOT payroll. They were hard to find, because they weren't working for DOT. This way when they start to work for the Governor, they'll go on the Governor's payroll on a temporary basis."



Jaffe: "Well, I don't understand. Why do we really need this if not to play games with personnel?"

Friedrich: "Because there are times when a Department needs additional help. Not as permanent employees, but they can be assigned there on a temporary basis."

Jaffe: "Yeah, but they keep their seniority. Is that not correct?"

Friedrich: "In the Department from which they came."

Jaffe: "So, say you had an executive who wanted to keep someone on the payroll but had one of his Department slashed. He could take that individual and put them on another payroll temporarily like they do in the City of Chicago forever. Isn't that right? And, that person would..."

Friedrich: "Well, he..."

Jaffe: "...would maintain seniority."

Friedrich: "Well, if...if the Department of Public Health, for example, had an appropriation adequate to take care of this temporary employee, they'd have money to pay for it, but it would have to be paid for out of the Department of Health's appropriation, and it would have to be...you could locate these people. The problem before was you couldn't tell where they were working, and they were being paid out of inappropriate appropriations, and that was the problem."

Jaffe: "Well, Mr. Speaker, if I may speak to the Bill. I'm going to vote against this Bill, because, quite truthfully, I think that too many games can be played with personnel, and I think what we can have is we can have good people fired and the Governor or somebody else keeping other people on payrolls of different Departments in which they have no qualifications as temporary employees. Abuses like this are always had in government, and I don't think we should legitimize it with a Bill like House Bill 3108."



Speaker Lechowicz: "The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Lechowicz: "Indicates he will."

Mautino: "Representative, what...let's use the Department of Developmental Disabilities as an example. What would happen...?"

Speaker Lechowicz: "Excuse me, Mr. Mautino. There's a point of order. The Gentleman from Cook, Mr. Totten, what's your point?"

Totten: "Thank you, Mr. Speaker. I believe our rules on Short Debate only provide for only one person to debate pro and con, and we've now passed that."

Speaker Lechowicz: "It has been taken off Short Debate at the demand of ten Members. Mr. Mautino, please proceed."

Mautino: "Thank you. In a case of Mental Health, Developmental Disabilities, if in fact, they wanted to move classifications of employees from, let's say, Dixon Developmental Center to Tinley Park. Could they do so under your Bill, and if they did so and the employee didn't want to move in that division, what recourse does that employee have?"

Friedrich: "Well, he would maintain his seniority in the Department from which he was...and this is only a temporary transfer, and it can only be extended one time for 90 days. So, the employee would keep all of the rights he had in his original Department."

Mautino: "But what if he didn't want to be transferred?"

Friedrich: "Well, that..."

Mautino: "What rights does he have in that case?"

Friedrich: "I don't think that's the problem we're trying to cover here, and I don't know...I don't think you're going to run into that problem. The problem in the past has been that the Governor or...has moved these people around at will, paid them out of the wrong pay-



roll, not for what the Legislature...what we're trying to do is to see that when the Legislature appropriates money, it's spent for the purpose for which it was designated and to the Department for which it was designated."

Mautino: "Is this the original Bill that grew out of about two and half...three years ago with the Pat Quinn case working on the Governor's staff and then being on the payroll of the Illinois Industrial Commission of the Department of Labor?"

Friedrich: "There were a number of abuses."

Mautino: "Was Pat Quinn one of those people that this addressed at that time."

Friedrich: "I think you could say that he might have been one of the people who brought this up. Also, this was not to represent one person."

Mautino: "Is that the same Pat Quinn's that's the head of the Coalition for Political Honesty that this Bill was aimed at?"

Friedrich: "I believe you could answer that question, Representative Mautino."

Mautino: "I'm asking the question, Representative Friedrich."

Friedrich: "I'm sure that it's the same person."

Mautino: "It is the same person. That's very interesting.

Now, I know why I want to vote against this legislation.

Speaker Lechowicz: "The Gentleman from Cook, Mr. Yourell."

Yourell: "Would the Gentleman yield for a question?"

Speaker Lechowicz: "Indicates he will."

Yourell: "Representative, can you tell me or would you care to indulge the name of any individual that...that took advantage of...of this situation, and if this situation...the legislation that you're proposing now will correct any further liberalization of the...the rule?"

Friedrich: "This would...I don't recall any particular names, but a few years ago, and I'm sure that the present



Speaker would attest to this, we had all kinds of problems with trying to find people who were on various payrolls to find out they were somewhere else. They were being paid out of one appropriation and working somewhere else, and that's the thing we're trying to cover here."

Yourell: "You don't care to tell us who those people were?"

Friedrich: "I don't have a list of them. I think Mr. Quinn might have been one of them."

Yourell: "Thank you."

Speaker Lechowicz: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, I have a couple of questions for Mr. Friedrich, but in the meantime, could I introduce a couple of foreign dignitaries that are in the chamber today? In the gallery are three high-ranking officials from Thailand who serve in the office of the under-Secretary of State for the Prime Minister of Thailand. They are Mr. 'Curtcarryjeripratt', 'Visitsanjar', the chief of police of Thailand, and 'Sadisurburan'. Mr. Friedrich, is there a limit to this temporary transfer?"

Friedrich: "Yes, there is, and there can only be one extension."

Giorgi: "Is there a limit to the number of employees?"

Friedrich: "No, there's no limit so long as they're paid out of the payroll for which they're working."

Giorgi: "Where...?"

Friedrich: "And, we control that by making appropriations to various Departments."

Giorgi: "Well, give me an instance where you'd need the authority to transfer an unnamed number of employees to some other Department. Give me an instance."

Friedrich: "Well, I suppose there could be a situation where you might want to take some people out of DOT and do some things for the Department of Corrections. I don't



...I know in the past the thing that was done was that some people on the DOT payroll were working in the Governor's Office."

Giorgi: "Is this...what if a person refuses to be transferred? What if a person refuses to be transferred?"

Friedrich: "I guess they could resign if they didn't want to do that job."

Giorgi: "You mean there's no out for a person that doesn't want to be transferred?"

Friedrich: "He would..."

Giorgi: "It's either or you mean? Another work...unemployment comp for employees? Is that what you're telling me?"

Friedrich: "That's already provided for in the Personnel Code and the other thing is he would not lose any of his seniority in the Department to which he was attached."

Giorgi: "Is the Civil Service Office in on this? Can these people eventually apply for full transfers and stay in the Department that they find themselves in temporarily? Is there a follow-up?"

Friedrich: "I'm sure they could apply for it just like they can now. It does not mean it would necessarily be granted."

Speaker Lechowicz: "Any further discussion? The Gentleman from Marion, Mr. Friedrich, to close."

Friedrich: "Well, this is going to eliminate some practices that have existed in the past where certain people have been used for even beyond the working in another Department. They have, for example, one Department has loaned an employee to another provided the first Department will pay for certain services in that Department. The EDP and so on. This is going to pinpoint so that the Legislature control the amount of the appropriation and how the money is to be spent, and the number of employees, and the salaries of those employees, and I think that's the thing that's been



lacking in the last few years. I can assure you this is not loosening it up. It's tightening it up to give the Legislature more control."

Speaker Lechowicz: "The question is, 'Shall House Bill 3108 pass?' All in favor vote 'aye'. All opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 119 'ayes', 14 'noes', 1 recorded as 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3109."

Clerk O'Brien: "House Bill 3109. A Bill for an Act to change your frequency of certain audits required by the Auditor General from semi-annual to annual. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "I'd like to hold this temporarily, Mr. Speaker."

Speaker Lechowicz: "Take it out of the record. 3110."

Clerk O'Brien: "House Bill 3110. A Bill for an Act to amend Sections of the Illinois State Auditing Act. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich!"

Friedrich: "Mr. Speaker and Members of the House, this provides ...is some enabling legislation for the Auditor General where he is auditing and is capable of getting reimbursement by the federal...for a federal audit where the federal funds are involved, and it places the responsibility of making the audit reports on the Auditor General rather than on the person responsible for supervising the audit."

Speaker Lechowicz: "Any discussion? The question is, 'Shall House Bill 3110 pass?' All in favor vote 'aye'. All opposed vote 'nay'. Jack. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 141 'ayes', 1 'nay', none recorded as 'present'. This Bill having received



the Constitutional Majority is hereby declared passed.
3113."

Clerk O'Brien: "House Bill 3113. A Bill for an Act to amend Sections of the Illinois State Auditing Act. Third Reading of the Bill."

Friedrich: "I yield to Representative Leverenz on this."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Leverenz."

Friedrich: "3113."

Speaker Lechowicz: "3110. 3113? Mr. Leverenz. Leverenz."

Leverenz: "Thank you, Mr. Speaker. The Bill would amend a number of Sections of the Illinois State Auditing Act to clarify and accommodate new responsibilities for the audit of the RTA and the CTA and the carriers subsidized by the RTA. I understand this is pursuant to the transportation package which included the fact that we would do the audit. If there aren't any questions, I would solicit your 'aye' vote."

Speaker Lechowicz: "Any discussion? The Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, I haven't had a chance to read this carefully. I wonder if we have corrected the deficiency which forced the state government to pay for the audit of the RTA? Will the RTA have to pay for the audits under this Bill?"

Leverenz: "We, I understand, have an appropriation Bill for that funding for those audits. That's separate."

Skinner: "I presume the answer then is 'no'?"

Leverenz: "Right."

Skinner: "The RTA will not have to pay for the audits?"

Leverenz: "Not to my knowledge."

Skinner: "Well, I think this Bill is deficient then. I think that the RTA certainly should not be trusted to pick its own auditor or to determine the scope of the audit, but I do think..."

Leverenz: "That's in another Bill."



Skinner: "I do think the Regional Transportation Authority should be forced to pay for its own audit, and that should be in this Bill. I would ask you to take it back to Second Reading and put that Amendment on, please."

Leverenz: "Certainly, Representative Skinner, you might be talking about 3112 instead of this Bill. This simply makes clear exactly what will be audited and sets out corrections in some deficiencies in what passed in the transportation package."

Skinner: "3112, Representative, refers to the Chicago Sanitary District not to the Chi...Regional Transportation Authority."

Leverenz: "I'm sorry. Go ahead."

Skinner: "So, it seems to me it's appropriate to put in this Bill that the legislative intent is that the Auditor General select the auditor but that the Regional Transportation Authority, as an entity, pay for that audit. For some reason that does not seem to be in the Bill."

Leverenz: "All right."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich."

Leverenz: "Representative Friedrich."

Friedrich: "Well, actually this expands the scope of the audit to include...to go beyond the CTA and RTA themselves to other agencies and certainly does not limit the audit. It can go into just beyond the money audit, and we feel this is needed in this case, expand the power of the Attorney General (sic) in making this audit."

Skinner: "Mr. Speaker, everybody seems to be missing the point I'm making and that point is that the audit will be paid for with state tax dollars, and that should not be the case. The audit should be paid for RTA tax dollars. I don't know why we would want to burden the state general fund with paying for the audit of the RTA. Am



I clicking into anyone?"

Speaker Lechowicz: "Any further discussion? The Gentleman from Marion, Mr. Friedrich, to close."

Friedrich: "Well, I think what...it's been said. We're attempting to expand the audit of these agencies and give the Auditor General more authority in this area, and I think that's desirable in this case. But, of course, it includes other public entities...involved. I would appreciate your vote."

Speaker Lechowicz: "The question is, 'Shall House Bill 3113 pass?' All in favor vote 'aye'. All opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 141 'ayes', 2 'noes', 4 recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the Calendar...it has been brought to my attention, is an emergency matter. On page 8, Senate Bills, Second Reading, appears Senate Bill 1645."

Clerk O'Brien: "Senate Bill 1645. A Bill for an Act to amend Sections of the Fiscal Year '80 Appropriation Acts. Second Reading of the Bill. No Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Vinson, amends Senate Bill 1645 on page 1, line 8, and so forth."

Speaker Lechowicz: "The Gentleman from DeWitt, Mr. Vinson."

Vinson: "I withdraw the Amendment, Mr. Speaker."

Speaker Lechowicz: "The Gentleman withdraws the Amendment. Any further Amendments?"

Clerk O'Brien: "Amendment #2, Vinson, amends Senate Bill 1645..."

Speaker Lechowicz: "Mr. Vinson withdraws the Amendment."

Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Third Reading. Back on the Calendar on House Bills, Second Reading, page 2, appears House Bill 1329."



Clerk O'Brien: "House Bill 1329. A Bill for an Act to amend Sections of the Fair Employment Practice Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Lechowicz: "Third Reading. 1340."

Clerk O'Brien: "House Bill 1340. A Bill for an Act creating the Compensation Review Board. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Lechowicz: "Third Reading. 1602."

Clerk O'Brien: "House Bill 1602. A Bill for an Act to amend Sections and repeal Sections of the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Lechowicz: "Third Reading. Impact note is filed. 1603."

Clerk O'Brien: "House Bill 1603. A Bill for an Act to add Sections and repeal Sections of the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."



Speaker Lechowicz: "Third Reading, and the fiscal impact note is filed. 2220."

Clerk O'Brien: "House Bill 2220. A Bill for an Act to amend Sections of the Illinois Public Aid Code. Second Reading of the Bill. Amendments #1 and 2..."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "This Bill has been read a second time previously."

Speaker Lechowicz: "Take it out of the record. 2227."

Clerk O'Brien: "House Bill...House Bill 2227. A Bill for an Act in relation to a state-wide emergency medical service program. Second Reading of the Bill. Amendments 1, 2, 3, 4, 5, and 6 were adopted previously."

Speaker Lechowicz: "The Gentleman from Morgan, Mr. Reilly. Are there any motions on those Amendments?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments?"

Speaker Lechowicz: "The Gentleman, Mr. Reilly, for what purpose do you seek recognition?"

Reilly: "Well, we did the Amendments the other day, and it was held on Second, because of a request for a fiscal note that's been filed, and I just need..."

Speaker Lechowicz: "A fiscal note has been filed? Third Reading."

Clerk O'Brien: "A fiscal note is filed."

Speaker Lechowicz: "Third Reading. The Gentleman from Kankakee, Mr. Ryan, for what purpose do you seek recognition?"

Ryan: "Purpose...thank you, Mr. Speaker. For the purpose of an announcement. We have in the Speaker's gallery this afternoon the Pontiac Chamber of Commerce headed by Mrs. Cathy Harris. Representative...former Representative Carl 'Hunsinger' was there. This group is represented by Representative Hoxsey, Ewing, and



Breslin. Right here. I don't know where Carl...where did Carl go?"

Speaker Lechowicz: "Carl's working the floor."

Ryan: "Pardon?"

Speaker Lechowicz: "Carl was working the floor."

Ryan: "Is he on the floor? Where are you, Carl?"

Speaker Lechowicz: "He was here earlier. House Bill 2341."

Clerk O'Brien: "House Bill 2341. A Bill for an Act to abolish cemetery districts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Lechowicz: "Third Reading. House Bill 2342."

Clerk O'Brien: "House Bill 2342. A Bill for an Act to abolish surface water protection districts and to transfer the powers and duties to townships. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Lechowicz: "Third Reading. House Bill 2793."

Clerk O'Brien: "House Bill 2793. A Bill for an Act to amend Sections of the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Lechowicz: "Third Reading. House Bill 2823."

Clerk O'Brien: "House Bill 2823. A Bill for an Act to add Sections and amend Sections to the Inheritance and



Transfer of Tax Law. Second Reading of the Bill.

Amendments #1 and 2 were adopted in Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #3, Pierce, amends House..."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Pierce.

Amendment #3 on House Bill 2823. Take it out of the record momentarily. We'll be right back to it. House Bill 2854."

Clerk O'Brien: "House Bill 2854. A Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. No Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Lechowicz: "Third Reading. House Bill 2854. I'm sorry. Yeah. Are you ready, Dan? Out of the record at the request of the Sponsor on 2823. 2858."

Clerk O'Brien: "House Bill 2858. A Bill for an Act to amend Sections of an Act relating to alcoholic liquors. Second Reading of the Bill. No Committee Amendments."

Speaker Lechowicz: "2858."

Clerk O'Brien: "No Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Lechowicz: "The Gentleman from Bureau, Mr. Mautino, for what purpose do you seek recognition?"

Mautino: "Inquiry of the Chair, Sir. Is this piece of legislation 2858 on Second Reading, First Legislative Day or Second Reading, Second Legislative Day?"

Speaker Lechowicz: "Second Legislative Day according to the Calendar. It's on page 3."

Mautino: "When did it come out of the Committee, Sir?"

Speaker Lechowicz: "Take the Bill out of the record. Any



announcements? The Gentleman from Lake, Mr. Matijevich.
 Matijevich: "Yes, two announcements. Appropriations I Committee is meeting in the usual room, 114, at 2 p. m. The other announcement is that the Sponsors of the Equal Rights Amendment have a Sponsors get together tonight from 7 till 10 in the north inaugural lower level of the Hol...State House Inn, and in the spirit of equal rights, everybody's invited."

Speaker Lechowicz: "The Gentleman from Cook; Mr. Williams.
 Mr. Williams."

Williams: "Thank you, Mr. Speaker. I would like to announce there is a change in the place where the Cities and Villages Committee is going to meet. It will meet immediately after we, you know, leave here in room 304. That's the Capitol Development Board room. Actually, the Calendar says we're meeting in 122B. It'll be changed to room 304."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Katz."

Katz: "An announcement, Mr. Speaker. The Judiciary II Committee will be meeting in room 118 at 2 p. m. It is the only time the Committee is scheduled to meet this week, so Sponsors had better arrange to be there this afternoon."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Jaffe."

Jaffe: "Yeah, Mr. Speaker..."

Speaker Lechowicz: "We're going to the Committee Chairmen first."

Jaffe: "We're going to be hearing the Equal Rights Amendment before the Judiciary I Committee at 9 o'clock tomorrow morning. I asked Representative Griesheimer to organize the opponents as Matijevich is representing the proponents. We're going to have a limited debate on that. We're probably going to go two hours on it, and we're going to entertain a motion of one sort or another around 11:15 tomorrow, but that will be



tomorrow morning at 9 a. m. in room 114."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Dawson."

Dawson: "Mr. Speaker, I'd like to move to suspend the rules to hear House Bill 2768 in Labor Committee this Thursday."

Speaker Lechowicz: "You can approve that on the Leadership on both sides."

Dawson: "I asked both sides. Yes."

Speaker Lechowicz: "Any objections? Hearing none, the Gentleman has leave to use the Attendance Roll Call. No. The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker. There was a notice of hearing on appropriations Bills for Commissions, and it was posted for tomorrow from 2 to 6. It has been changed. All Commission Bills will be heard tomorrow morning at 9 o'clock in 122A."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Capparelli."

Capparelli: "Executive Committee will reconvene immediately after Session in room 114."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Telcser."

Telcser: "Mr. Speaker."

Speaker Lechowicz: "Excuse me. The Gentleman from Cook, Mr. Piel, for what purpose do you seek recognition?"

Piel: "Mr. Speaker, we have yet to take the Roll Call."

Speaker Lechowicz: "I'm sorry. What?"

Piel: "We have yet to take a Roll."

Speaker Lechowicz: "No, I'm sorry. We did." You'd better check with the Clerk's desk down here."

Piel: "We were in Committee at the time."

Speaker Lechowicz: "All right. The Gentleman from Cook, Mr. Telcser."

Telcser: "Mr. Speaker, there appears on page 13 a motion filed by Representative Daniels dealing with Senate Joint Resolution Constitutional Amendment #25. Now, Mr. Speaker, there are Members on both sides of the aisle



vitally interested in this measure, and there are Members interested on both sides of the question. You and I know full well that time is slipping by very rapidly, and, Mr. Speaker, I'm requesting that you now move to the Order of Motions and have Representative Daniels' motion called now."

Speaker Lechowicz: "Mr. Telcser, may I also point out to you that the Executive Committee is reconvening, and that Bill has been posted for Exec, and Mr. Daniels could have...also has the opportunity, not only for that motion..."

Telcser: "But, Mr. Speaker, the fact that..."

Speaker Lechowicz: "...but to appear in Committee."

Telcser: "...the fact that Exec is or is not meeting really has nothing whatever to do with the Gentleman's motion."

Speaker Lechowicz: "Well, there are other motions on the Calendar as well, and it's two o'clock..."

Telcser: "But, that today's Legislative Day is gone, Mr. Speaker."

Speaker Lechowicz: "Let me just conclude my remarks, Sir. It is two o'clock and according to the Calendar, Committees will be reconvening at two o'clock. I've been doing my best in order to accomplish the work load of this House, and I believe in all fairness, there are a number of other motions which appear on page 12 and 13 of the Calendar, and Mr. Daniels' is the last motion, and in the appropriate time, we'll get to his motion. The Gentleman from Cook, Mr. Madigan, on an announcement. The Gentleman from Sangamon, Mr. Jones."

Jones: "I want to call your attention to the fact that the Governor's prayer breakfast will be this Thursday at 7:45 at the Holiday Inn East. The speaker will be Jim 'Lerher' of McNeil-'Lerher' television news daily



report, and if you need tickets, Don Deuster has some, and Mrs. Oblinger, and I, and Doug Kane. Springfield delegation will secure some for those who wish to have them. That's this Thursday. The Governor's prayer breakfast. Leadership on both sides of the rotunda are participating in this event."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker, as previously announced, the Executive Committee met at 11 o'clock this morning and recessed its meeting to immediately after adjournment today in order to accommodate Mr. Daniels and his Senate Joint Resolution Constitutional Amendment 25. Lee, there are several Members of that Committee that would like to at least get to know your face so that they would recognize you on the floor, and in light of the pendency of that meeting, I now move that we adjourn to twelve noon tomorrow."

Speaker Lechowicz: "The Gentleman has moved the House stand adjourned till twelve noon tomorrow. All in favor signify by saying 'aye'. 'Aye'. Opposed...the House stands adjourned till twelve noon tomorrow."



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1.

Doorkeeper: "Attention, Members of the House of Representatives, the House will convene in five minutes. All persons not entitled to the House floor, please retire to the gallery."

Speaker Redmond: "The House will come to order. Members please be in their seats. Be led in prayer by the Reverend Krueger, the House Chaplain."

Reverend Krueger: "In the Name of the Father, the Son and the Holy Ghost. Amen. O Lord, bless this House to Thy service this day. Amen. Bernard Baruch once said, 'One of the secrets of a long and fruitful life is to forgive everybody and everything before you go to bed at night. Let us pray. Almighty God, who alone can rule the raging sea, who alone can bring order out of chaos, who alone can abide the storm and calm the winds, we pray to instill within the hearts and minds of the Members of this House of Representatives such peace and tranquility that they may readily complete the duties now lay before them. Temper their fatigue that they may be alert to ready solutions, renew their courage that they may persevere in the path of justice and righteousness and pour into their hearts such love toward Thee that all that may be obtained this day will be for the good and benefit of the people of the State of Illinois through Jesus Christ our Lord. Amen."

Speaker Redmond: "Representative Collins will...Pledge of Allegiance."

Collins: "I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Redmond: "Roll Call for attendance. Your switch only. Everyone in attendance? Mr. Mayor, hurry up. Take the record. Agreed Resolutions."

Clerk O'Brien: "House Resolution 733, Bower. 734, Bower."



735, Yourell. 736, Farley. 737, Capuzi. House
Joint Resolution 97, Bluthardt."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, House Resolution 733 by Bower recognizes Effingham's Flaming Hearts, otherwise known as the James Gang, in their second place position in basketball. 734 by Bower recognizes 'Bird Man' Arnold. 735 by Yourell, a silver jubilee. 736 by Farley limiting... asking that the Supreme Court limit...limiting the time in which appeals or criminal cases must be resolved. 737 by Capuzi honors Doctor Robert J. Stein. And, Bluthardt's 97 asks that the Municipal Problems Commission be extended...the reporting date be extended to June 30. I move for the adoption of the Agreed Resolutions."

Speaker Redmond: "Any discussion? The question is on the Gentleman's motion for the adoption of the Agreed Resolutions. Those in favor say 'aye', aye, opposed 'no'. The 'ayes' have it, the motion carries, Agreed Resolutions adopted. On page 12, under the Order of Motions appears a motion with respect to House Joint Resolution Constitutional Amendment 25. Is Representative Daniels on the floor? Out of the record. Further Resolutions."

Clerk O'Brien: "House Joint Resolution 97, Ryan-Catania."

Speaker Redmond: "Committee on Assignment. Committee Reports. Representative Simms...please."

Clerk O'Brien: "Representative Williams, Chairman of the Committee on Cities and Villages, to which the following Bills were referred, action taken April 29, 1980, reported the same back with the following recommendation; do pass House Bills 2837, 2926, 3018, 3147, 3281, 3418 and 3542. Do pass as amended, House Bill 2762. Do pass Short Debate Calendar, House Bill 3385. Interim Study Calendar, House Bill 3548."



Representative Leon, Chairman of the Committee on Financial Institutions, to which the following Bills were referred, action taken April 29, 1980, reported the same back with the following recommendation; do pass House Bill 2987. Do pass as amended House Bill 2876. Do pass as amended Short Debate Calendar, House Bill 3416."

Speaker Redmond: "House Bills, Second Reading, Short Debate, on page 2, 2827. Take those and...if there are any floor Amendments and...we may have to take things out of the record but...2827, page 2."

Clerk Leone: "House Bill 2827. A Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. Amendment #1 and 2 were adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendments 1 and 2?"

Clerk Leone: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk Leone: "No floor Amendments."

Speaker Redmond: "Third Reading. 2903. Are there any floor Amendments on that? 2903, Mr. Clerk."

Clerk Leone: "House Bill 2903. A Bill for an Act in relation to noninstitutional care of persons...in a needed long term care. Second Reading of the Bill. Amendment #1 adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendment 1?"

Clerk Leone: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk Leone: "No floor Amendments."

Speaker Redmond: "Third Reading. 2990. Any floor Amendments? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2990. A Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendment #1?"



Clerk Leone: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk Leone: "No floor Amendments."

Speaker Redmond: "Third Reading. 3075. Any floor Amendments?
Read the Bill."

Clerk Leone: "House Bill 3075. A Bill for an Act to amend
the School Code. Second Reading of the Bill. Amendment
#1 was adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendment 1 or
any floor Amendments?"

Clerk Leone: "No motions, no floor Amendments."

Speaker Redmond: "Third Reading. 3116. Any floor Amendments?
Read the Bill."

Clerk Leone: "House Bill 3116. A Bill for an Act to amend
the Illinois Vehicle Code. Second Reading of the
Bill. No Committee Amendments."

Speaker Redmond: "Any Amendment from the floor?"

Clerk Leone: "None."

Speaker Redmond: "Third Reading. 3132. Any floor Amendments?
Read the Bill."

Clerk Leone: "House Bill 3132. A Bill for an Act to amend
the Illinois Vehicle Code. Second Reading of the
Bill. No Committee Amendments."

Speaker Redmond: "Any Amendment from the floor?"

Clerk Leone: "No floor Amendments."

Speaker Redmond: "Third Reading. 3156. Any floor Amendments?
Take that one out of the record. 3220. Representative
Hallstrom, are you aware of that Amendment? Well,
maybe we had better take it out. We'll get back to it.
3220."

Clerk Leone: "House Bill 3220. A Bill for an Act to amend
the Public Community College Act. Second Reading of
the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk Leone: "None."



Speaker Redmond: "Third Reading. 3357. Any floor Amendments?
Read the Bill."

Clerk Leone: "House Bill 3357. A Bill for an Act relating
to the creation of ambulance districts. Second
Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Redmond: "Third Reading. 3431. Read the Bill."

Clerk Leone: "House Bill 3431. A Bill for an Act to repeal
the Illinois Flamable Fabric and Toy Act. Second
Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendment from the floor?"

Clerk Leone: "None."

Speaker Redmond: "Third Reading. Representative Ryan."

Ryan: "Thank you, Mr. Speaker. I would request a quorum
call."

Speaker Redmond: "Okay. The Gentleman has requested a
quorum call. Roll Call for attendance. Turn it on.
Everyone in attendance who's on the Roll Call? Take
the record. Representative Ryan."

Ryan: "I would like to question a few names on the Roll Call."

Speaker Redmond: "Proceed."

Ryan: "Is the Clerk going to read the list?"

Speaker Redmond: "Yeah. He wants to verify the Roll Call,
read the list. No. I didn't call the quorum. Are
you ready, Mr. Clerk?"

Clerk Leone: "Verification of those that are present.

Ackerman. Alexander. Anderson. Balanoff. Barnes.

Beatty. Bell. Birchler. Boucek. Bower. Bowman.

Bradley. Breslin. Brummer. Bullock. Capparelli.

Christensen. Conti. Cullerton. Daniels. Davis.

Dawson. DiPrima. Domico. Donovan. Doyle. John

Dunn. Ebbesen. Ewell. Ewing. Farley. Virginia

Frederick. Dwight Friedrich. Garmisa. Getty.

Giorgi. Goodwin. Grossi. Hallock. Hallstrom. Hannig.



Harris. Henry. Hoxsey. Huskey. Dave Jones. Emil Jones. Kane. Keane. Kelly. Klosak. Kornowicz. Kosinski. Krska. Kucharski. Kulas. Lechowicz. Leon. Leverenz. Madigan. Mahar. Matula. Mautino. Mulcahey. Murphy. Oblinger. O'Brien. Patrick. Pechous. Piel. Pouncey. Preston. Pullen. Reed. Richmond. Rigney. Ronan. Ryan. Satterthwaite. Schisler. Simms. Skinner. Slape. Steczo. Stuffle. Sumner. Swanstrom. Taylor. Telcser. Terzich. Totten. Van Duyne. Vinson. Vitek. Walsh. Watson. Wikoff. Williams. Williamson. J.J. Wolf. Sam Wolf. Younge. And, Mr. Speaker."

Speaker Redmond: "Questions? Representative Pierce is here, put him on the Roll Call. Currie is here, put her on the Roll Call. McPike, put him on the Roll Call. Rea ...I'll get back there. Rea, put him on the Roll Call. Greiman, put him on the Roll Call. Richardson...(sic), Roll Call. Representative Darrow...Robbins...Darrow. Anyone else over here? Currie, did we get Currie? She's on the Roll Call. Representative Yourell, put him on the Roll Call. Now we're on this side. Ewing, put him on. McMasters. Representative Ryan."

Ryan: "Would you give me the count now, Mr. Speaker?"

Speaker Redmond: "Well, I want to give everybody the opportunity to be on. Now, is there any...Winchester, did we get him? Bell. Who's that grey headed fellow going back there? Oh, that's Casey. I knew him when he was black-haired. Anyone else on the Republican side that wants to be on the Roll Call? Did we get Mahar? Did you get Mahar? Bluthardt. Anyone else on this side? We've got two on there. Representative Mugalian. Now is everybody on the Roll Call that wants to be on? What is the count? Representative Deuster, for what purpose do you rise?"

Deuster: "Well I'd just like to be counted."



7.

Speaker Redmond: "Put Mr. Deuster on the Roll Call. Where did I see you last night, Mr. Deuster?"

Deuster: "You saw me at an ERA rally."

Speaker Redmond: "That's what I thought. I just wanted to make that a matter of record. Representative Deuster on a point of personal privilege."

Deuster: "I was just wondering how the Speaker was going to vote this year on that subject."

Speaker Redmond: "Well, I've been 'no', 'yes' and 'present' and I'm looking for another button. Representative Jaffe...is present. 34 what? We're adding up here, Mr. Ryan. Representative Ryan."

Ryan: "I'll withdraw my request."

Speaker Redmond: "Representative Ryan withdraws his request for a...Representative Leinenweber, for what purpose do you rise?"

Leinenweber: "I want the record to show that I am here and you might try your page button."

Speaker Redmond: "Woodyard here. My what?"

Leinenweber: "You might try your page button when ERA comes up."

Speaker Redmond: "I don't know whether that will do it. Will it? Representative Daniels, for what purpose do you rise?"

Daniels: "Yes, Mr. Speaker, now that we have a quorum I'd like to move to the Order of Motions on page 13... page 12, Senate Joint Resolution Constitutional Amendment 25."

Speaker Redmond: "I called that once already, Mr. Daniels."

Daniels: "When you called it, Sir, there was not a quorum."

Speaker Redmond: "You weren't on the floor."

Daniels: "There wasn't a quorum."

Speaker Redmond: "You weren't on the floor."

Daniels: "That's why you didn't have a Roll Call. That's why the quorum call was issued. Now that we have a



quorum, I would like to go to that order of business so we can..."

Speaker Redmond: "Representative Matijevich.

Daniels: "...subject of merit."

Matijevich: "Mr. Speaker, I was on the original Roll Call, I'm still here. Put me 'aye'...'present'."

Speaker Redmond: "Well, there's a lot that we have to do today and I'm going to try to do those things... I'll get back to your motion, Mr. Daniels, but I'm not going to give preference right now. House Bills, Second Reading, 2220. Representative Collins."

Collins: "Well, Mr. Speaker, I said the Pledge of Allegiance so I assume I'm on the Roll Call."

Speaker Redmond: "Well I hope so."

Collins: "Mr. Speaker, can you give an answer as to when Representative Daniels' motion will be called?"

Speaker Redmond: "It's already been called and you weren't on the floor either."

Collins: "Yes I was."

Speaker Redmond: "I'll get to it. We have Constitutional Amendments. I'll get to it when we have a full House."

Collins: "We know you'll get to it, is it unfair to ask when?"

Speaker Redmond: "Okay. House Bills, Third Reading, page 7, 3040. Representative Daniels."

Daniels: "Well, Mr. Speaker, I think the rules provide that a motion to move to the order of business..."

Speaker Redmond: "We're on the order of business. Your motion is out of order when we're in the middle of an order of business here. 3040. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3040. A Bill for an Act to amend certain appropriations for the Act to the Department of Revenue for the fiscal year of June 30, 1980. Third Reading of the Bill."



Speaker Redmond: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, thank you for calling this Bill. The Department of Revenue is anxious to have this appropriation passed so that they can have additional funds for paying tax refunds to taxpayers across the state. There's thirty million dollars in here for that. There's eight million dollars in here which goes to the Local Government Distributive Fund which reflects the increase in income tax revenues to the state. And, of course, this money then would be available for distribution to local governments. I would ask for the favorable approval of this Bill."

Speaker Redmond: "Any discussion? The question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 117 'aye' and 4 'no'. And the Bill having received the Constitutional Majority is hereby declared passed. 3002. Read the Bill, Mr. Clerk. Representative McMaster."

Clerk Leone: "House Bill..."

McMaster: "Thank you, Mr. Speaker. I realize that this is a difficult time to become involved in something of controversial nature, but for that reason, as the a principle Sponsor of House Bill 3261, I would like to table House Bill 3261."

Speaker Redmond: "Where is it?"

McMaster: "It is to be...it's assigned to the Ag Committee, Mr. Speaker. Oh, okay. I wish to table it."

Speaker Redmond: "Does the Gentleman have leave to table... 32 was it?"

McMaster: "3261."

Speaker Redmond: 3261. 3002. Representative Matijevich."

Clerk Leone: "House Bill 3002. A Bill for an Act to provide



for the ordinary and contingent and distribution expenses of the Comptroller. Third Reading of the Bill."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Chairman...Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3002 is a transfer Bill for the State Comptroller. The Comptroller is required to make death benefit payments to surviving spouses to two Members of the General Assembly who died, Senator Graham and Representative Waddell. This is for that unanticipated death benefit to the families. And it also has an Amendment of a supplemental of twenty-four hundred dollars to the State Comptroller for social security payments to retired state employees. I would request the favorable vote on House Bill 3002."

Speaker Redmond: "Any discussion? The question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there's 129 'aye' and 0 'nay'. And the Bill having received the Constitutional Majority is hereby declared passed. House Bills, Second Reading 2220."

Clerk Leone: "House Bill 2220. A Bill for an Act to amend the Illinois Public Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment 1 and 2?"

Clerk Leone: "No motions filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk Leone: "Amendment #3, Taylor, amends House Bill 2220 on page 1, line 1 by deleting and so forth."

Speaker Redmond: "Representative Taylor. Who's the Sponsor of the Amendment? Taylor. Is he on the floor? Out of the record. House Bills, Second Reading, Short



Debate, 3156. Oblinger, she was...didn't have enough people on the floor Amendment so we'll be right back on Second Reading."

Clerk Leone: "House Bill 3156. A Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk Leone: "Amendment #1 amends...Hallstrom, amends House Bill 3156 on page 1, line 32 and so forth."

Speaker Redmond: "Representative Hallstrom. Amendment #1."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment was suggested by the Illinois Association of School Boards. The Bill, itself, simply allows that a child that was suspended from a school bus, that instead of having to wait for the board to review this action that the child, if it's ten days, the child may be put back on the bus without the school board's action. The reason for the Amendment, which states that the ten days could be a longer period of time if the board deemed it necessary, is because of safety reasons. And it was the School Board Association that asked for this Amendment."

Speaker Redmond: "Any discussion? Representative Getty."

Getty: "Would the Lady yield? I...I...in looking at your Amendment, I don't see any standard that the school board would have to make their determination in what the safety reasons would be. Could you explain what those standards would be so we would have something at least in the record?"

Hallstrom: "Yes, Representative Getty. My understanding was, from the School Board Association, that there may be a time when a youngster behavior is such that it is interfering with the bus driver driving the bus. And that if the board feels that this is not remedied in a



ten day period then they would extend that but there's still opportunity for the parents and a board review. It would fit under what Subheading B says that if it's more than ten days...excuse me, then the board would review it. So I'm sure there would be ample chance for fairness on it. It's not just to keep children off the school bus."

Getty: "Well what this Amendment does is give the school board, in effect, a blank check to suspend the child indefinitely. Isn't that correct if they feel that that the safety of the school bus or other people are in danger? That's the purpose?"

Hallstrom: "Well, Sir, I don't see it that way. If you would look at the whole statute, in Subheading B, it says that...it address the fact that if a child is taken out of a classroom, if it's more than ten days, then they do have to have a board review and there would be a chance for a petition from the parents. So I see there's ample room for fairness on it. What I merely did was take out Subsection C of that statute because it calls for an automatic board review, it didn't give the child any opportunity to go back on the bus until the board reviewed it. So all I did was put so it's the same situation if a child is suspended from school or if the child is taken off of the bus."

Getty: "Is it your intention that if the suspension is for a period longer than ten days for safety reasons, that the board gives the child an opportunity for a subsequent rereview of that?"

Hallstrom: "Yes it is my intention."

Getty: "And what would be, in your judgment, a reasonable maximum period for the board to give a subsequent review?"

Hallstrom: "I'm sorry, Representative Getty, I haven't



addressed that question in my mind as yet, but as I say, my understanding is it would be the same situation if the child were taken out of a classroom. I haven't changed the other part of the statute. All I have done is allowed the school board to extend the ten days but under the same positions if the child was taken out of school."

Getty: "All right. What I'm says is you're giving them a blank check, I think, and I think that we have to at least make a record that your intent is not to go beyond a reasonable period of time and what that reasonable period of time would be. If it's an additional ten days, I can understand that."

Hallstrom: "Well, I think in Subheading B it does not mention a particular time past the ten days when a child is expelled from school or suspended from school. It then becomes expulsion, and that youngster does have the right for a review, and, of course, the School Board does have the ultimate decision, but there's room for the review."

Getty: "Thank you, Representative."

Hallstrom: "Thank you."

Speaker Redmond: "Anything further? The question's on the Lady's motion for the adoption of Amendment 1. Those in favor say 'aye'. 'Aye'. Opposed, 'no'. The 'ayes' have it. The motion carried. The Amendment's adopted. Third Reading. 2823. House Bills, Second Reading. Representative Collins."

Collins: "Mr. Speaker, I'm puzzled. Just a few minutes ago you refused to call a motion, because you had established an Order of Business, and now you've been jumping around between Orders of Business. Now, I would submit to you that the matter that Representative Daniels asked, you to call, merit selection of Judges, is of major importance to the people of the State of Illinois. You



refused to call that, because you had established an Order of Business. Now, you're not showing consistency with your earlier ruling, Mr. Speaker, and I would ask now that you consider Representative Daniels' motion to change the Order of Business and go to the Order of Motions."

Speaker Redmond: "We're right in the middle of an Order of Business I have called. I have called the Bill. Representative Daniels' motion will be called. All the Constitutional Amendments will be called. Everything will be called today. I just...you know, when you're Speaker, then you run the show to suit yourself. Representative Campbell, is he out there? Representative Campbell's in the Chair."

Speaker Campbell: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If I could have your attention a moment, it's my pleasure to introduce today the Jamaica High School Bas...Girls' Basketball team that took second in the state. It's a high school of 250 population. They had a 24 and 2 record, and they are from the 53rd District represented by Representative Stuffle, Representative Woodyard, and myself. And, the coach, and you Democrats will like this on that side of the aisle, the coach is a cousin of Gary Hannig. And, Mary Hannig, I'd like for you to step up here, please."

Mary Hannig: "I'd just want to say it's a pleasure to be here, and the girls are real proud to be here, and it's really been an exciting experience. Thank you."

Speaker Campbell: "Thank you very much. Yes, Phil."

Collins: "Mr. Speaker, I move that we go to the Order of Motions at this time."

Speaker Campbell: "You weren't recognized for that purpose."

Speaker Redmond: "Well, we have...we have this one Bill, 2823."

Clerk Leone: "House Bill 2823. A Bill for an Act to amend



the Inheritance and Tax Transfer Tax Law. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Redmond: "Any motions? Representative Pierce."

Pierce: "Mr. Speaker, Amendments 1 and 2, we found some technical errors in them. It's my Bill and my Amendments in Committee, and I would like to, at this time, move to table Amendments 1 and 2, so we can move to Amendment 3, which was...which has been distributed to the Members' desks."

Speaker Redmond: "Is there any discussion? Hearing no... there's no discussion and no objection, the Amendments 1 and 2 are tabled."

Pierce: "Amendment 3 is an Amendment that accomplishes what 1 and 2 sought to accomplish in Committee. It provides that the Bill will be effective for descendants dying after December 31, 1980. It makes certain that the Attorney General is notified of all estates under the delayed payment here. This is for small business, family-held businesses, and farms, and it also makes sure that the counties...the county treasurers get credit for the amounts collected for their county treasuries. So, I move the adoption of Amendment #3, which is virtually the same as Committee Amendments 1 and 2, but puts them in proper form."

Speaker Redmond: "Any discussion? The question...Representative Brummer."

Brummer: "Yes, since I was not acquainted with Amendments #1 and 2, nor can I find 1, 2, or 3 on my desk, could you please explain again what 3 does in the way of notification of whom for whose benefit?"

Pierce: "Amendment 3 provides, basically, that the Bill, which was introduced last year and provided for descendants dying after December 31, 1978, it changes it to December 31, 1980, because the Attorney General didn't



want to have to make any refunds. Secondly, it..."

Brummer: "What is the significance of changing that date?
Where does that appear and what does it require?"

Pierce: "Do you know anything about the Bill? Do you know
what Bill we're talking about?"

Brummer: "2823."

Pierce: "Okay. What the Bill provides is that the State
Inheritance Tax shall be...conform with the Federal
Estate Tax so that farmers and people that own small
businesses can have delayed payments, so they don't
have to force the sale of their farm. The widows
don't have to sell their farm in order to pay the
Illinois Inheritance Tax in nine months. It give them
the 10 to 15 years that they have under the Federal
Estate Tax. Well, what this Amendment does is make
it effective with people who die after December 31, 1980.
I'm doing that at the request of the Attorney General,
because if we use the '78 date, he would have to make
refunds of inheritance taxes already collected. He
didn't want to have to do that. So, it's kind of a
convenience for him. The other Amendments provide that
the Attorney General shall know who's qualified for
this, so he can follow it for 10 or 15 years and make
sure the taxes are paid directly to him. But, we
were afraid that the county treasurers might lose that
inheritance tax credit that they collect, so we provide
that they shall not in any way lose the county's
portion of the delayed paid inheritance taxes."

Brummer: "This would no way...in no way reinstitute the
inheritance tax which we just abolished, would it?"

Pierce: "Yes, it would. Yes, it would if that Bill was
signed by the Governor. It depends which Bill receives
legislative action last I think. What this Bill does,
on the assumption that that Bill maybe won't be passed
into law, it provides that the farms and the small
family-held businesses will have the same delayed pay-



ment procedure they have under the federal death tax, the federal estate tax, so they could have a five year delay and then pay over a ten or fifteen year period their taxes. This would prevent force sale of farms and small business in order to meet the ten month requirement, if I said nine months, I was in error. You have ten months to pay the Illinois Inheritance Tax."

Brummer: "We have six months."

Pierce: "Ten months. The Illinois Inheritance tax is due ten months after this, is my understanding. Anyway, I move the adoption of Amendment #3 which...which really re...redrafts the two Committee Amendments, 1 and 2."

Speaker Redmond: "Anything further? Representative Ewing."

Ewing: "I'd like to ask the Sponsor a question. Representative Pierce, does this conform the Illinois law to federal law whenever it changes or how did we leave that Bill after it was amended?"

Pierce: "Yeah. The Bill itself cites the present federal law. There was some indication that maybe we should just refer to the federal statute. The problem with this is that if they change theirs, we automatically change ours without having the right to look at it. So what we've done to the original Bill, and this Amendment doesn't change the original Bill, it recites the same test and we're only on the Amendment stage here, of course. It recites the same test as presently exists in the Federal Estate Tax to qualify to be a closely held business, or either a business or a farm. So, as of now, all...all businesses or farms that qualify for the delayed payment under the Federal Estate Tax would qualify under the Illinois Inheritance Tax. If they change their law, we will have to come back and change our law."



Ewing: "So this is the clean-up Amendment that you talked about in Committee?"

Pierce: "Yes, it's a clean-up of the clean-up Amendment which had some technical problems."

Ewing: "All right. I would...I would support this Amendment."

Speaker Redmond: "Any further discussion? The question is on the motion...the Gentleman's motion to adopt Amendment 3. Those in favor say 'aye', aye, opposed 'no'. The 'ayes' have it, the motion carries. There is a request for a fiscal note has been filed, Mr. Pierce, just filed here now. Representative Pullen filed it. So we have to hold it on Second until that request has been complied with. Representative Pierce."

Pierce: "Representative Pullen is opposing giving farms and small businesses the same delayed right to pay the inheritance tax? There is no fiscal impact because the same tax is due. It's not an appropriate fiscal request but we'll follow it."

Speaker Redmond: "Okay. Representative Mahar."

Mahar: "Thank you, Mr. Speaker. I have Amendment #4 here. Is that improperly numbered...but I'm looking at Amendment #4."

Speaker Redmond: "Is there another Amendment here, Mr. Clerk? Another Amendment, are you aware of that, Mr. Pierce? Representative Pierce."

Pierce: "My recollection is, the floor Amendment was 3, is it 4? He didn't call it."

Speaker Redmond: "Representative Mahar."

Mahar: "The Clerk just has a copy of the Amendment. He's looking there to check and see if there's an error in numbering or if it's a different Amendment."

Speaker Redmond: "Representative Pierce."

Pierce: "Mr. Speaker, the Gentleman is right. Amendment 3 ...the floor Amendment 3 has been replaced by Amendment



4, confusion on the numbers. Representative Mahar is correct and I would, therefore, move to table... well, I guess to reconsider the vote by which it was adopted. Amendment 3...Amendment 4 is really the clean-up Amendment."

Speaker Redmond: "Representative Pierce moves to reconsider the vote by which Amendment 3 was adopted. All in favor say 'aye', aye, opposed 'no'. The 'ayes' have it, motion carried, the vote is reconsidered. Representative Pierce."

Pierce: "Well, I move to table Amendment 3. Amendment 4 is the final clean-up Amendment 3..."

Speaker Redmond: "Is there objection to tabling Amendment 3? Hearing no objection, leave is granted, unanimous consent."

Pierce: "No, no, Amendment 4 is really the Amendment I was talking about. I had an unmarked copy in my hand and Representative Mahar was absolutely right, Amendment 4 is the correct number of the Amendment."

Speaker Redmond: "Representative Ewing."

Ewing: "Has Amendment #4 been passed...distributed? We don't seem to have it on this side."

Speaker Redmond: "It has. The Clerk advises me that it has."

Ewing: "It has been."

Speaker Redmond: "Is Representative Vinson in the Chambers. Get ready, yours is the next Bill. Anything further? Representative Pierce. 1641 in a minute."

Pierce: "Mr. Speaker, I would move the adoption of Amendment #4, which is the Amendment we thought we were adopting a minute ago as 3."

Speaker Redmond: "Any further discussion? The question is on the Gentleman's motion for the adoption of Amendment 4. All those in favor say 'aye', aye, opposed 'no'. The 'ayes' have it, the motion carried, Amendment 4 is adopted."



Pierce: "Thank you."

Speaker Redmond: "The Bill will be held on Second Reading pending the furnishing of the fiscal report. Senate Bills, Third Reading, page 7, 1645. Representative Kosinski."

Kosinski: "Mr. Chairman, may I make an announcement?"

Speaker Redmond: "Proceed."

Kosinski: "I have been asked to announce that the ninth annual Gridiron Dinner occurs May 13th at the Springfield Hilton Hotel and tickets are available from Members of the media. You will remember, this is somewhat embarrassing each year, but nevertheless, entertaining and put on some...by some very questionable talent. I suggest that we all attend."

Speaker Redmond: "Read 1641."

Clerk Leone: "Senate Bill..."

Speaker Redmond: "1645."

Clerk Leone: "...1645. A Bill for an Act to amend certain FY 80 Appropriation Acts. Third Reading of the Bill."

Speaker Redmond: "Representative Vinson."

Vinson: "Thank you, Mr...thank you, Mr. Speaker and Members of the House. This Bill deals with an emergency problem at the Department of Mental Health...has encountered. They've had a couple of facilities that have...had to be closed because of financial problems. And as a result they had to transfer, these are community facilities, and they've had to transfer the patients that were being cared at at those facilities to other facilities. That necessitates, essentially, a transfer in their budget that amounts to 2.4 million and an eight-five thousand dollar increase in their current 1980 budget. I would move for the passage of the Bill."

Speaker Redmond: "Is there any discussion? The question is, shall this Bill pass? Those in favor vote 'aye',



opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question 137 'aye' and 0 'nay'. And the Bill having received the Constitutional Majority is hereby declared passed. We're going to go to the Order of Motions on page 11. I just want to call the attention to the Members that the Rules Committee has...had three hundred and sixty-seven Bills exempt. We had about one hundred Bills on the Calendar. That's four hundred and sixty-seven Bills and Friday is the last day to get Bills out of the Chamber...out of Committee. Four...three hundred and and sixty-seven Bills in there. House Bill 3314, Representative Daniels. Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, I thought I heard you, Mr. Speaker, indicate that you were going to the Order of Motions on page 11..."

Speaker Redmond: "I have."

Deuster: "...and on the Order of Motions on page 11, the first one listed is House Bill 296. And I would grateful and appreciative if you could call that Bill so that I might present my motion."

Speaker Redmond: "Well, I've already called Mr. Daniels. Are you objecting to me going to 3314?"

Deuster: "Well, I just...normally we go in the order that the things are on the Calendar."

Speaker Redmond: "Say yes or no, don't..."

Deuster: "Yes, I object, Sir."

Speaker Redmond: "Okay. Take 3314 out of the record. House Bill...motion with respect to 296. Representative Deuster."

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 296 is a Bill that deals with the same subject as Senate Joint Resolution Constitutional Amendment 25, the so-called Merit Selection of Judges.



On the other hand, House Bill 296 does not amend the Constitution and does not take away from people the right to elect judges. What House Bill 296 does, and I did appear before the Elections Committee last year on this subject to discuss it, it simply recognizes the big problem with electing judges of...seems to be in Cook County where we have such a large county and we have so many names of judges on the ballot. The Constitutional of the State of Illinois provides that we may, by law,..the General Assembly here may, by law, divide Cook County into smaller areas for the election of judges. House Bill 296 would provide that Cook County is divided into Legislative Districts.. And, I think, that this would result in the people being better able to look over a smaller number of judicial candidates and do a better job of electing the good ones, knowing what their qualifications are and rejecting those who are inferior or deficient. I do not believe that we should adopt a Constitutional Amendment to take away the right of the people of Illinois to elect their judges until we try to reform the problem. House Bill 296 would reform that problem. It would simply say that in Cook County, on a basis of one person, one vote, the judges would be elected by Legislative Districts. Now, Representative Conti is a Co-sponsor of this Bill as is Representative Beatty on the other side of the aisle. I have discussed this legislation with the leaders of the Democratic Party and as the Republicans know, it was discussed in our Republican Conference. I think this is a fair proposal, a much better proposal and it is really going to help the quality of the judiciary without taking away from the people the right that they now have to elect their judges. I think this is good for the people of Cook County, good for the quality



of the judiciary and a much preferable proposal than the Constitutional Amendment. However, I do want to say, that since I respect the views of the other Members here in this Body, there may be some of you who think the Constitution should be amended and for that reason, I do intend to support Representative Daniels' motion to bring his idea to the floor of the House. And I would appreciate it if everyone would support my motion to bring House Bill 296 to the floor of the House so we will have a real choice, a real opportunity to look at this carefully and say, what do we need to do to change the method in Illinois of electing judges? I would be happy to answer any questions about this, although, on the Order of Motions, I think I am here to present the motion. I am moving that this Bill, which is on the...in the Committee of Elections be brought to the floor on Second Reading. It could be amended, of course. And I did appear before the Committee, discussed this thoroughly and I've tried to discuss this individually with individual Members of the Democratic Party particularly since those of you who reside in Cook County will probably be more interested in this. So, Mr. Speaker, I move that House Bill 296 be placed on the Calendar on the Order of Second Reading. And this Bill, as I say, will simply divide Cook County into, as the Constitution contemplates, and provide into smaller areas... into Legislative Districts for the purpose of electing the circuit judges."

Speaker Redmond: "Representative Macdonald."

Macdonald: "Thank you, Mr. Speaker. Will the Sponsor yield to a question?"

Speaker Redmond: "He will."

Macdonald: "If we do elect our judges by district, then, by virtue of their election, what does this do to



change of venue or...or anything of that kind? Does this mean then that all cases would have to be heard by the judge elected...serving his constituents?"

Deuster: "Not at all.

Macdonald: "What's...tell me what the legal..."

Deuster: "Not at all. It makes no change in that procedure.

As you know right now, some judges are elected from the suburban areas and at large. . . But the judges are assigned around where they are needed and this has nothing to do with that. This simply..."

Macdonald: "Yes, but the chief judge is given the prerogative of setting those districts and they are not elected by districts. And that is...that is the prerogative of the chief judge and I'm just wondering if...if there is any other opinion...legal opinion on what this might do constitutionally or by virtue of elected representation."

Deuster: "Representative Macdonald, in your district you would have residents of your district, your Legislative District, running for judge and rather than county-wide. And then I think the...and this is true of every district whether it be the north or the south side or the west side of Chicago or anywhere in Chicago and Cook County, in your Legislative District, the judges would be running in a smaller area. There would be a smaller number of them. The people would be better able to determine the results and elect good judges."

Speaker Redmond: "Representative Deuster, do you have your Rule Book handy? Do you have your Rule Book handy? Look at the Rule 27 G. Representative Getty, for what purpose do you rise?"

Getty: "Mr. Speaker, I rose to question whether this motion, at this time, would be in order. I think it attempts to suspend something which is not under our rules suspendable. And I would question, as a point of order,



if the motion, at this time, is in order."

Speaker Redmond: "That's the reason I asked Representative Deuster to look at 27 g. I've been advised by the Parliamentarian that 27 B is not suspendable. Did you go through the rules, Mr. Deuster? Well..."

Deuster: "I have another motion if that...if it were deemed that the second motion were in order, I'd be happy to present the second motion."

Speaker Redmond: "It is in order but if it...it requires 107 votes and you still have to go to Rules...according to the Rules which you voted for."

Deuster: "I don't know if the Rules Committee is planning to meet, Mr. Speaker. It seems to me that we ought to be able to suspend the rules and...."

Speaker Redmond: "Representative Bradley, for what purpose do you arise?"

Bradley: "Mr. Speaker and Ladies and Gentlemen of the House, the Gentleman said we ought to be able to do something, we can't do it because the rules provide we can't. And that's to protect us all from our own rules, we vote on them we ought...we're operating under a set of rules. Let's go ahead with the order of business in the...I don't see any point in him arguing with your ruling. He has one choice. If he wants to take the choice on the rule, you ruled. Let's go ahead with the order of...of the House and move ahead with the business."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker, I think that the simplest way to handle this, with all respect to the Chair, is to ...and to move expeditiously, I didn't hear you rule but I thought you were going to rule...assuming that you did rule, I would move to appeal the ruling of the Chair so that this motion may be considered."



Speaker Redmond: "Well, I ruled according to Rule 27 G,
your motion is not in order."

Deuster: "And I am moving..."

Speaker Redmond: "According to 27 B is not suspendable."

Deuster: "Yes, And I'm moving to appeal that ruling of the
Chair so that the motion may be presented."

Speaker Redmond: "Okay. The Gentleman has moved to appeal
the ruling of the Chair. And the question is, shall
the ruling of the Chair be sustained...shall be over-
ruled? Those in favor of overruling the Chair vote
'aye', opposed vote 'no'. Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House,
I am not urging you to vote green on this to overrule the
ruling of the Chair, but I know, Mr. Speaker, what you stood for
in the many years that I've served with you, and
the general cry throughout the State of Illinois for
a different method of selecting judges. And the more
time we waste and not consider this ruling that you've
made here today, the more the people in the State of
Illinois are going to suffer. There is a Bill before
the House now, and I'm sure both Democrats and
Republicans if they take a look at the only other
alternatives that they have, they would much prefer
a system like what Don Deuster is representing here
today. It's not a reflection on you, Mr. Speaker, that
I ask the Members of the House to overrule your ruling.
But to give the people of the State of Illinois a
real choice in selecting their judges. In the many
years that I have been in politics, that is the biggest
cry on election day when the voters are presented
forty to sixty names on a ballot of judges. They don't
even know their names, their records, their conduct
and how they behave in office. If those of us who are
really sincere about merit selection of judges and
about doing something about our judicial system in the



State of Illinois, this is the last opportunity that we're going to have this year to come up with some meaningful reform. And your vote up there for...an 'aye' vote is not against the Speaker or his ruling but to give this House a chance, a chance to present some meaningful legislation in the reform of judicial in the State of Illinois."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 60 'aye' and 69 'no' and the motion failed. That's with respect to the first motion that we have. Now, Representative Deuster, if you put the motion...the second motion you have there, it requires 107 votes and then it would have to go to the Rules. What's your pleasure?"

Deuster: "Well my pleasure is because...is to present the motion, Mr. Speaker. It's a matter of fairness, I think, to the Members of this House as well as the individual Sponsors, Representative Conti, Beatty and the rest of us who sponsored this Bill would like to have the House have the opportunity to consider it. So I..."

Speaker Redmond: "Proceed, Sir."

Deuster: "I will proceed to ask that the provisions of Rule 25 C be suspended so that the Committee on Elections can be...discharged from this Committee and go to Rules. And I, as I said earlier, I went to the Committee on Elections on this Bill. I'm not circumventing the Committee at all. I think this is the best solution to the problem, to allow the people of Cook County to elect their judges, not to take away from them that power they have to reform this system. So I would ask your support for this motion to discharge House Bill 296."

Speaker Redmond: "Representative Deuster has moved that the provisions of Rule 25 be suspend...25 C be suspended



and the Committee on Elections be discharged with respect and consideration of House Bill 296. Those in favor vote 'aye', opposed vote 'no'. It requires 107 votes. Have all voted who wish? The Clerk will take the record. On this question there's 113 'aye' and 7 'no'. The motion prevails, Committee is discharged and the Bill will be sent to the Rules Committee. Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen, for the purpose of an introduction. The class from Boone Township High School, represented by Representative Piel, Getty and Grossi, up in the...above the Speaker's... on the right-hand side of the Speaker's balcony. Boone Township."

Speaker Redmond: "To give you an idea of what our program is, we're going to...to recess in time for the two o'clock Committee meetings. And judging...in order to give every Sponsor of a Constitutional Amendment the opportunity to be heard, it looks like we're going to have to come back this evening. Don't boo me. Now do I have...do I have permission to go to page 13, on the Order of Motions? Anyone else with a motion that appears on page 11 or 12 object to me going to Mr. Daniels? Representative Preston."

Preston: "Thank you, Mr. Speaker. I would move...asking leave to waive the posting requirements on House Bill 2898 and to have that Bill heard today in the Revenue Committee. I checked this out with Representative Pierce and Representative Ewing and they do not have an objection."

Speaker Redmond: "Is there any objection? What's the number of the Bill again?"

Preston: "2898."

Speaker Redmond: "20..."

Preston: "2898."



Speaker Redmond: "2898. Representative Schlickman. Revenue."

Schlickman: "Would the movent describe the Bill please?"

Speaker Redmond: "Would you describe the Bill, Representa-
tive Preston?"

Preston: "Yes. The Bill is a one penny sales tax deduction
on food and medicines. A penny sales tax deduction
on food and medicines."

Schlickman: "Thank you."

Speaker Redmond: "Any objection to waiving the provisions
of the posting rule? Hearing none, unanimous consent
is granted."

Preston: "Thank you, Mr. Speaker."

Speaker Redmond: "Representative Daniels. Representative
Deuster."

Deuster: "Your recognition of Representative Daniels...I...
is this with respect to 3314 on page 11?"

Sepaker Redmond: "Page 13."

Deuster: "Mr. Speaker, I had objected to going to page 13
because I know Representative Barnes, with House Bill
3580, I know wanted to present that motion. And she
was here just a second ago. So I would object to
going out of order."

Speaker Redmond: "The Parliamentarian advises me that I'm
not bound on the Order on Motions, but merely Bills
and Constitutional Amendments, Second or Third
Reading. Representative Deuster."

Deuster: "Is it your intention to call Representative
Barnes' motion at the..."

Speaker Redmond: "Well, I haven't...you know, I just want
one step at a time. I...right at the moment, I wanted
to go to Representative Daniels' motion."

Deuster: "Well since Representative Barnes isn't here, I
withdraw my objection."

Speaker Redmond: "Okay. Mr. Daniels."



Daniels: "Which motion are we on, Mr. Speaker? Motion to discharge?"

Speaker Redmond: "Is this your third term?"

Daniels: "It's my third term. We're on SJRCA #25, motion to discharge the Executive Committee."

Speaker Redmond: "That's right."

Daniels: "Now, Mr. Chairman and Ladies and Gentlemen of the House, as every Member of the House knows SJRCA #25 is the question of merit selection of judges in the State of Illinois. The motion pending before you is asking this House, with leave of the House, to discharge the Executive Committee. I should tell every Member of the House that it is true that the Executive Committee has held several hearings and has requested that I appear at those hearings. I should tell every single Member of this House that I did not appear at the hearings because I did not want to be straddled with the need for 107 votes to discharge the Executive Committee when I received the expected Do Not Pass Motion on the question of merit selection as the Committee last year...last week voted on the Illinois Bar Association motion to discharge or motion for pass on merit selection on the Bill that they presented. This Bill, on merit selection, has already passed the Senate as each one of you know. It's clear, it's easily understood. There are questions that need to be resolved. There are questions that we will want to discuss on Second Reading. I am asking that this House discharge the Executive Committee, bring this matter to the floor of the House so that we can discuss in an orderly and open fashion the question of merit selection of the judges and so that we can discuss every single Amendment that any Member of this House wants to put on the issue of merit selection. I think it's a reasonable request due to the deadline of



Saturday, our last scheduled day to meet is Friday and we need your help. This is, at the present time, your vote on the issue of merit selection, your vote, whether or not the people of the State of Illinois will be given the opportunity through a representative government to speak on the question of whether or not in Illinois we should adopt merit selection of judges. Make no mistake, this matter is of critical importance. You are needed for your assistance. Right now the people of Illinois are viewing your actions and I hope that you will join with me in bringing this matter to the floor so we can discuss the very important question of merit selection of judges. Thank you."

Speaker Redmond: "Any discussion? Representative...Representative Capparelli."

Capparelli: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to oppose this motion to discharge the Committee. As Representative Daniels knows, we gave him every opportunity to have his Bill heard. And he knows and he realizes that the Executive Committee has always given fair hearings to everyone. As a matter of fact, as Lee will tell you, I walked over to the Judiciary today and asked him to come over and have his Bill heard, and he refused. We've had three meetings in the last three days asking him to have his Bill heard and he has refused on every instance. It would be a very simple matter for everyone to go out and try to poll each Committee and find out if they have the votes and if they don't they discharge Committee. What good is the Committee system if we continue to do this? I would ask you to vote 'no' on this motion."

Speaker Redmond: "Representative Preston."

Preston: "Thank you, Mr. Speaker. I would ask a question of the Sponsor of this motion. Mr. Speaker...Mr. Daniels,



if I may ask you a question...? On the Bill, as it now stands, could you explain what the procedure is for an individual who is chosen by the Governor to be a judge in one of the circuit courts after his term of six years has expired, what is the procedure if he wants to remain a judge?"

Daniels: "Well, that's...I'd be happy to explain the Bill, with leave of the Chair, I'd be happy to go into every issue of the Bill if that's what the Members of the House want done, if that's what the Speaker wants done on this motion to discharge. It's my understanding that the motion to discharge is for the very purpose of discussing this in detail the very question that you asked. And I'm glad you brought up that question because it's a very important question that the Members of this House should address on Second Reading. And that's the question whether or not to retain retention in Illinois. As as you well know, Representative Preston..."

Preston: "We're not talking about retaining retention, Representative Daniels...."

Daniels: "That is correct because you asked the question how the matter would be handled on retention as to whether or not a person would be run under retention or go through the merit selection process again. That's the very question that we must make certain is addressed by this House on Second Reading and why it's so critical that we discharge the Committee so every Member of this House has an opportunity to speak how he or she feels on the issue of retention. And that's why I'm presenting this motion."

Speaker Redmond: "Representative McPike. McPike."

McPike: "Well thank you, Mr. Speaker, a point of order. I think we should not be debating this Bill, as indicated, we should stick with the discharge motion and nothing



else. We're going to get into two hours of explaining the Bill and waste everybody's time."

Speaker Redmond: "I agree. Confine your remarks to the Bill ...to the motion. Representative Preston."

Preston: "Mr. Speaker, I had asked Representative Daniels a question which I still have not had answered to which was what the...what the Bill, as it now stands, provides for an individual selected as a judge who wants to remain beyond six years."

Speaker Redmond: "I think Representative McPike's objection is well taken and the discussion should be on the motion, not the contents of the Bill...or the Constitutional Amendment. Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to ask a question of the Sponsor."

Speaker Redmond: "Of the motion...on the motion?"

Cullerton: "On the motion."

Speaker Redmond: "Proceed."

Cullerton: "Representative Daniels, as I understand it, this ...to pass, ultimately, this requires 107 votes. Is that correct?"

Speaker Redmond: "Right."

Daniels: "All right. All right. Your answer...the question was, does it take 107 votes? Yes."

Cullerton: "If you went to the Executive Committee and there was a Do Not Pass motion, then to discharge that Committee you would need 107 votes as well."

Daniels: "That is correct."

Cullerton: "The reason why you bypass Committee, as you explained, was because you didn't want to have to require 107 votes to discharge Committee. Is that correct?"

Daniels: "That is correct, coupled with the reason that I wanted to address all of the Amendments on Second



Reading in the House since the Senate has already passed this Bill. Since the Senate has already had a hearing on the matter and an orderly debate and accepted all of the Amendments, I think that this floor should issue and talk about the question of merit selection directly. And that's why I support bringing it to the floor..."

Cullerton: "We would...if you went to Committee and you had to discharge Committee, we would...it would ultimately be determined...it would ultimately be discussed on Second Reading anyway. My question is, if you already need 107 votes to pass it, why didn't you go to the Committee, suffer...if you were correct in assuming that you were going to suffer defeat there, even have a No Not Pass motion, why didn't you just go to the Committee and allow people to testify as they normally do in a Committee?"

Daniels: "Because of my feeling that the issue should be debated on the House floor..."

Cullerton: "It's going to be debated on the House floor anyway."

Daniels: "Not if it's not discharged, Representative Cullerton. And you..."

Cullerton: "But you need 107 votes to pass..."

Daniels: "If you are interested in debating merit selection, if that's your true feeling of your question on the motion..."

Cullerton: "And it is."

Daniels: "Then what you will do is support to bring it to the floor so we can continue to have orderly debate on the question of merit selection. And if you are really sincere about the question of merit selection, you will support this motion so that you, as a Member of the House, can talk about whether or not Illinois wants to adopt the merit selection in this state. And



I support your question of it right now and will answer every question you have when this matter is brought directly to the floor so each of us can determine what we should do in exercising our constitutional right."

Cullerton: "Mr. Speaker, I would like to speak in opposition to this motion."

Speaker Redmond: "Proceed."

Cullerton: "The issue is not whether or not you want to debate merit selection on the Order of Second Reading. That's going to get to Second Reading one way or another. The issue is, do you want to support Mr. Daniels position that he has the right to bypass Committee? Admittedly, to bypass Committee without having any witnesses in Committee, have the opportunity to present testimony. Witnesses can't come here. Members of the Supreme Court..Judge Gulley, who was in Committee yesterday, he can't come here and submit himself to questioning. We're not in the Committee of the Whole. This only allows for Representatives to debate the issue on Second Reading. And it's going to get to that state anyway. Furthermore, he said, he didn't want to require 107 votes to discharge Committee, that's why he didn't go to Committee. Well the Bill needs 107 votes anyway. So the people...the issue is not whether or not you're in favor of this Bill. This issue is, do you want to set the precedent of bypassing Committee on a very important Constitutional Amendment? And I am very much against this motion and I ask people to vote 'no'."

Speaker Redmond: "Representative Davis."

Davis: "Well thank you, Mr. Speaker. I'd like to respond to the last...the last questioner by telling him that I am a Member of the Executive Committee and Judge Gulley...Mr. 'Mulin', of the State Bar Association, did



appear in Committee and did testify, notwithstanding the absence of the Sponsor. Now, Representative, I might just point out to you that the issue here is not necessarily the question of merit selection. At issue here is the right of every Member of this House to proceed with his Bill in the fashion that he deems best for the consideration of that Bill. The rules of this House provide for discharge motions in the event of Committee bias. I sit on the Executive Committee, I usually and normally oppose discharge motions. However, in this case, I can definitely tell you, the bias in the Committee was there from the other side of the aisle and yes, indeed, from some Members on our side of the aisle. There is no doubt that a Do Not Pass motion would have been the order of business in that Committee requiring 107 votes. And Representative Cullerton is in the end of his second year here and he also knows that motions of this type can only be debated limited to the motion, not to the merits of the Bill. If you want to discuss the merits of merit selection, if you will, then you will support this discharge motion. There are those of us who recognized bias in the Executive Committee on another issue that the other side of the aisle had reassigned this morning to Judiciary I, which had a favorable Roll Call vote on the question of ratification of the Equal Rights Amendment because bias in the Executive Committee is against that particular issue. The parliamentary maneuver of the Sponsors of that particular motion is not in question and is not questioned by those of us who would oppose it. But they did that. Is that any different in Members' rights to proceed with their Bill than Representative Daniels to proceed with this Bill? I am not very happy with the current proposals contained in 25 as came out of



the Senate, I may not vote for it. But I am going to vote today to discharge the Executive Committee so I can hear the merits debated pro and con and I recommend you do the same."

Speaker Redmond: "Representative Ebbesen. Wait a minute. O'Brien."

O'Brien: "Thank you very much, Mr. Speaker and Members. I rise in support of this motion to discharge from Committee Senate Joint Resolution 25. And I think every Member in the House ought to take a close look before he casts his vote on what really is the issue. As Representative Davis said, the Sponsor has the right to have a hearing. And I can't think of a more fair or equitable way to have a hearing on an important matter such as this than in the whole floor...in a Committee of the Whole in the House of Representatives. We are presently in the process right now of having citizens groups reorganize this House for ourselves. And I think it's important that we take a look at the process by which we select our judiciary. You would be shirking your responsibility not to allow this Bill to be fully debated before the floor of the House. I support the motion and I encourage each and every other Member to support the motion."

Speaker Redmond: "Representative Van Duyne."

Van Duyne: "Mr. Speaker, I move the previous question."

Speaker Redmond: "What, Representative Van Duyne? I was distracted. Representative Van Duyne has moved the previous question. The question is, shall the main question be put? Those in favor indicate by saying 'aye', opposed 'no'. Those in favor vote 'aye', opposed vote 'no'. Representative Bowman."

Bowman: "Am I correct in assuming that this motion that is now being voted on is Representative Daniels' motion, not Representative Van Duyne's motion?"



Speaker Redmond: "This is the...this is the motion for the previous question."

Bowman: "This is the motion for the previous question?"

Speaker Redmond: "That is correct."

Bowman: "Okay, I just want everyone to understand what they're voting on. This is the motion for the previous question."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 115 'aye' and 21 'no'. The motion carries. Representative Daniels."

Daniels: "Well, Mr. Speaker and Ladies and Gentlemen of the House, the issue before you right now on Senate Joint Resolution Constitutional Amendment #25 is whether or not to discharge the Committee on Executive from further hearing of the matter dealing with merit selection of judges. You've heard some of the Speakers and you've heard them talk on some of the reasons that we want to bring this to the floor. And you've also heard Representative Davis tell you that there were witnesses in the Executive Committee that were heard with the consent of the Chair against the issue of merit selection...that the opponents did have the opportunity to be heard. And how many of you in this House have heard over the weekend from the judges and the lawyers of this state? How many people of...here right now know all of the people that are concerned about this legislation? What the real issue is, Ladies and Gentlemen of this House, is whether or not we are to exercise our Constitutional responsibility in an orderly debate on the question of whether or not this state should adopt merit selection of judges. And, Ladies and Gentlemen of the House, we heard and we have seen the actions of the Senate. We have seen the fact that this Bill passed the Senate...."



Speaker Redmond: "Representative Van Duyne."

Van Duyne: "Mr....Mr. Speaker...Mr. Speaker, you keep talking to Dave and he keeps debating the merit of the Bill and the past history of the Senate and I wish he would just stick to his motion. It only takes about..."

Speaker Redmond: "Your objection is well taken. Representative Daniels, address your remarks to the motion."

Daniels: "On the motion, we are being called upon, right now, on behalf of the people of the State of Illinois to exercise our responsibility to debate on Second Reading the question of merit selection of judges. I'm calling on each and every one of you, each and every one, to support the motion to discharge so that we can debate this in an orderly fashion. Thank you."

Speaker Redmond: "The question is on Representative Daniels' motion to discharge the Committee...the Executive Committee from further consideration of Senate Joint Resolution Constitutional Amendment #25 and advance it to the Order of Constitutional Amendments, Second Reading. Those in favor vote 'aye', opposed vote 'no'. Representative Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to explain my 'no' vote on the Gentleman's motion. Certainly I do not question Representative Daniels' motivations in not appearing before the Executive Committee. In light of his Sponsorship of this Resolution, I presume, that he is a strong proponent of the content of the Resolution. However, regardless of his motivation, regardless of his zeal for the proposition, I don't feel that this House should allow Mr. Daniels to place himself in a special position relative to all of us and relative to the Committee structure of the House of Representatives. We have a Committee structure. Those Committees are



charged with the responsibility to hear Bills and Resolutions. We've had Resolutions proposing changes in the Constitution. Those Resolutions have been considered by the various Committees of this House. Just last week another of our Members, Mr. McCourt, sponsored a similar Resolution to this Resolution. Mr. McCourt appeared before the Executive Committee, offered his testimony and then the Committee rendered its decision. I don't understand why Mr. Daniels should be distinguished from Mr. McCourt. If Mr. McCourt could take his Resolution to Committee, then certainly Mr. Daniels could take his Resolution to Committee. I think it's interesting to realize that many people ask Mr. Daniels if they would have an opportunity to testify in a Committee of the House of Representatives in opposition to his Resolution. He was asked by the Illinois State Bar Association if they would have an opportunity to testify against this Resolution. His response was that he did not plan to appear before that Committee to give that Association an opportunity to testify. He was asked by the Supreme Court of the State of Illinois, a practicing attorney was asked by the Supreme Court of the State of Illinois if the justices of the court would have an opportunity to testify in opposition to his Resolution and he failed to give the Supreme Court of this state an opportunity to appear before one of our duly constituted Committees. For these reasons I say to you, and the decision is in our collective hands, why should we place this one Member in such a special position so that all of us...and that this Body will say to associations such as the Illinois Bar Association and to the Supreme Court of this state, you will have no opportunity to participate in the legislative process of the House of Representative? Your opportunities



will be restricted to the rotunda and to the mail and to a telephone. And I say to you, it's not fair. Mr. Daniels should not be placed in any different position than any other of us and this motion ought to be defeated."

Speaker Redmond: "Representative Ewell."

Ewell: "Mr. Speaker and Ladies and Gentlemen, I too would like to voice an objection to this Senate Joint Resolution 25 which has been consistently mislabeled merit selection. I find at no place in Senate Joint Resolution 25 any such namer as merit selection. I think that we cannot allow a Member or any Member to bypass the Committee system and put over on the people what is a raw political power grab by the Executive at the expense of the Judiciary. Traditionally, people in this country have existed on basis of a separation of powers. Now we are seeking, without a Committee hearing, without a chance to testify, without witnesses, we are attempting to put over the ad man's gimmick of the year called merit selection. I don't think a con man could have come out with a better slogan. Because what we are, in effect, doing is depriving the people of their right to select judges, their only right to elect judges. And if anyone stands with the principle of elections, stands with the principle of selection of the Democratic process, then we cannot allow the bypass of the Committee system with no witnesses simply because a Member cries out my Bill. I say to each and every one of you that my Bill will soon become your law. This is my vote. I register it in opposition to the duly constituted process of the...of the Judiciary system. I resent this gimmick, this con man's theory and I think the people are being hoodwinked and misled by the con man's and ad man's gimmick of the year. This is actually a deformation of power



to the people and it concentrates it all in the Governor's office. I am opposed to this concept and I will not allow myself, in the name of a Member's Bill, a Member's right, to prosecute the people of the State of Illinois."

Speaker Redmond: "Representative Collins."

Collins: "Well, Mr. Speaker and Ladies and Gentlemen of the House, isn't it amusing to hear the cries from across the aisle, but principally from the City of Chicago? They are concerned with the sanctity of the Committee system and they're concerned with the fairness of the Executive Committee, hogwash. You know what their problem is, they want to exercise their control over the Judiciary as they always have. They want to continue to elect their judges in ward organizations. You don't care about judges for the people. Let's be honest about it. You want your judges...and your judges and those that you name only. So let's get off it boys. Anybody that's been here five minutes knows that you don't give a damn about the Committee system, you want to control the judges as you always have. Let's vote this Resolution out and let's vote this...proposal up or down on its merits but let's not hide behind phony arguments."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 86 'ayes', 70 'no'. Representative Boucek. Change Representative Boucek to 'aye'. Representative Reilly. Representative Totten. Totten 'aye'. What's the count? On this question there's 88 'aye' and 70 'no'. Representative Daniels."

Daniels: "I want a poll of the absentees."

Speaker Redmond: "The Gentleman has requested a poll of the absentees. Poll the absentees."

Clerk Leone: "Poll of the absentees. Abramson. Beatty."



Braun. Campbell. Capuzi. Donovan. Flinn. Friedrich. Gaines. Huff. Emil Jones. Kane. Molloy. Pechous. Stanley."

Speaker Redmond: "Representative Pechous."

Pechous: "Mr. Speaker and Members of the House, I had my light on for the purpose of rising to explain my vote. Given the fact that I have litigation presently before the Illinois Supreme Court, and that as such this matter affects the tenure of sitting judges, I will now rise to an apparent conflict of interest and ask that the record indicate that I be marked 'present'. Thank you."

Speaker Redmond: "Proceed."

Clerk Leone: "Stanley."

Speaker Redmond: "Representative Ryan, for what purpose do you arise? You're voting... Representative Ryan, are you seeking recognition? Campbell 'aye'. Representative Lechowicz."

Lechowicz: "At the appropriate time, I want a verification."

Speaker Redmond: "Representative Donovan 'no'."

Clerk Leone: "Continuing the the poll of the absentees. Stanley. Stearney and Mr. Speaker."

Speaker Redmond: "What's the count? 89 'aye' and 70 'no'. Representative Lechowicz has requested a verification of the Affirmative Roll Call."

Unidentified: "Can we have an Oral Verified Roll Call?"

Speaker Redmond: "No, it's too late for that now. That's done before you start it."

Clerk Leone: "Poll of the Affirmative. Ackerman. Anderson. Balanoff. Barnes."

Speaker Redmond: "Representative Conti, for what purpose do you arise?"

Conti: "Mr. Speaker, this is probably one of the most important pieces of legislation coming before us this Session and I wonder if we can clear the hall of just



the Members themselves. I see an awful lot of other people on the floor?"

Speaker Redmond: "All persons not entitled to the Chambers, please leave the floor. Members, please be in your seats. Please be in your seats. Doorkeeper, please clear the aisles. Proceed."

Clerk Leone: "Continuing with the poll of the Affirmative. Bell. Bianco. Birkinbine. Bluthardt. Boucek. Bowman. Burnidge. Campbell. Catania. Chapman. Collins. Conti. Currie. Daniels. Davis. Deuster. John Dunn. Ralph Dunn. Dyer. Ebbesen. Ewing. Virginia Frederick. Griesheimer. Grossi. Hallock. Hallstrom. Harris. Hoffman. Hoxsey. Hudson. Huskey. Jaffe. Johnson. Dave Jones. Karpel. Kent. Klosak. Kucharski. Macdonald. Mahar. Margalus. Marovitz. Matula. McBroom. McCourt. McMaster. Meyer. Mugalian. Neff. Oblinger. O'Brien. Peters. Pierce. Polk. Pullen. Reed. Reilly. Robbins. Ropp. Ryan. Sandquist. Satterthwaite. Schlickman. Schneider. Schoeberlein. Schraeder. Schuneman. Skinner. Steczo. E.G. Steele. C.M. Stiehl. Sumner. Swanstrom. Telcser. Totten. Tuerk. Vitek. VonBoeckman. Walsh. Watson. Wikoff. Willer. Winchester. J.J. Wolf and Woodyard."

Speaker Redmond: "Any questions of the Affirmative Roll Call? Representative Harris 'no'. Representative Rigney. Representative Rigney votes 'no'. He changes his mind again. Representative Rigney votes 'aye'. Representative Braun 'aye'. Representative Stanley, sit down... rules say. Representative Stanley desires to be recorded as 'aye'. Any questions of the Affirmative Roll Call? Representative Lechowicz. Representative Sandquist, please sit down. Conti."

Lechowicz: "What are we starting off with as far as a count, Mr. Speaker?"



Speaker Redmond: "91 'aye' and 70 'no'."

Lechowicz: "Thank you. Is Representative Bianco on the floor?"

Speaker Redmond: "Representative Bianco. How is he recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him."

Lechowicz: "Ralph Dunn."

Speaker Redmond: "Ralph Dunn. How is he recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him."

Lechowicz: "Representative Johnson."

Speaker Redmond: "He's here."

Lechowicz: "Yeah, thank you. Mr. Kucharski."

Speaker Redmond: "He's here."

Lechowicz: "Mr. Marovitz."

Speaker Redmond: "Representative Marovitz. How's he recorded?"

Lechowicz: "Oh, he's right here, I'm sorry. Mr. McBroom."

Speaker Redmond: "He's here."

Lechowicz: "Mr. Meyer."

Speaker Redmond: "Representative Meyer is here."

Lechowicz: "Yeah, he was called. Mrs. Satterthwaite."

Speaker Redmond: "Representative Satterthwaite. She's in the back."

Lechowicz: "Mr. Swanstrom."

Speaker Redmond: "He's here."

Lechowicz: "Mr. Mugalian."

Speaker Redmond: "Mugalian here? How is he recorded?
Mugalian here? Remove him."

Lechowicz: "Mr. VonBoeckman."

Speaker Redmond: "Mugalian off. Representative VonBoeckman,
here? How is he recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him."

Lechowicz: "Mr. John Dunn."



Speaker Redmond: "John Dunn is right here but...here he is down in front."

Lechowicz: "Mr. Speaker, did you remove Mr. VonBoeckman?"

Clerk Leone: "I did."

Lechowicz: "All right, thank you. Mr. Griesheimer."

Speaker Redmond: "He's here."

Lechowicz: "Mr. Hoffman."

Speaker Redmond: "Who?"

Lechowicz: "Hoffman."

Speaker Redmond: "Is Representative Hoffman here? Hoffman. How is he recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him. Representative Ralph Dunn has returned. Put him back on."

Lechowicz: "Ms. Pullen."

Speaker Redmond: "Representative Pullen. She's here."

Lechowicz: "Mr. Totten."

Speaker Redmond: "He's here."

Lechowicz: "Mr. Speaker, how is Mr. Matula recorded? Didn't he change his vote to 'no'?"

Speaker Redmond: "I don't recall that he did. Representative Matula. How is he recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Is he in the Chamber? He's here, yeah."

Lechowicz: "Thank you. Mr. Margalus."

Speaker Redmond: "Margalus. He's here."

Lechowicz: "Mr. Watson."

Speaker Redmond: "He's here."

Lechowicz: "I have no further questions."

Speaker Redmond: "What's the count, Mr. Clerk? 87 'aye' and 70 'no' and the motion fails. The result has been declared now. Constitutional Amendments, Third Reading. Representative Telcser."

Telcser: "Mr. Speaker, you had Members seeking your attention to change their vote. You had no need for a quick



announcement like that. Representative Bower was standing up waiving his hand."

Speaker Redmond: "There was no quick announcement. We had a verification, we polled the absentees. Everybody was given an opportunity..."

Telcser: "Just as in every Roll Call, some Members want to change their votes at the end of the..."

Speaker Redmond: "Constitutional Amendments, Third Reading. House Joint Resolution Constitutional Amendment 32, Representative Bradley. Page 8...out of the record. 42, Johnson. Representative Johnson, do you want to proceed with the...Representative Johnson on the floor? Out of the record. 43. Representative Telcser, will you please keep your Members in their seats? Representative Johnson on 42."

Johnson: "Well, Mr. Speaker and Members of the House, this is a proposed Constitutional Amendment that passed in the Executive Committee, I think, eighteen or nineteen to one. And really to satisfy not only the people who are proponents of merit selection but also those who support the process of election of judges. And the reason I say that, in explaining this Constitutional Amendment, is just that's really a very common sense notion and this would really only apply to those areas outside of Cook County. In a number of areas around the state we have multi-county circuits. Taking our circuit as the Sixth Judicial Circuit as an example, we have the counties of Champaign and Moultrie and Douglas and DeWitt and Piatt and Macon that all make up the Sixth Judicial Circuit. The individuals who run for judge are...are then assigned, or actually sent, in the counties where they reside. The problem when it comes to retention is that the voters really don't have any idea about the performance or decision or ability or general conduct



of a judge sitting...sitting and residing in Champaign County when the voters are ones that are in Macon County or DeWitt or Piatt or Douglas or Moultrie County. So what this Constitutional Amendment would do, as it applies to the retention process, is that it will allow the residents of the county where the judge sits to vote 'aye' or 'nay' on the retention of that particular judge. No one is in a better position to be able to ascertain the talents and abilities and decisions than the people who are actually exposed on a daily basis to that particular judge. And the...the practical effect of the existing system is that people simply vote yes or no totally blindly, most of them don't even know who the sitting judge is, let alone anything about him or her. And this is simply a common sense notion, it passed overwhelmingly out of the Executive Committee. It's something that I think... an idea who...really was looked over, and accidentally looked over, in framing the Constitution and this simply would bring the Constitution up to the reality of daily life. And I would urge your support on HJRCA 42."

Speaker Redmond: "Is there any discussion? Representative Borchers."

Borchers: "Mr. Speaker and fellow Members of the House, as I stand here this minute, I don't know the judges. I think Judge 'Stagman' is a judge in Champaign County, but I wouldn't swear to it. I think he is. I do not know the judges of Champaign County because I am from Macon County. I feel that this is an excellent Bill ...and excellent Bill that we should vote for because it's only logical that we who live in Macon County know our judges and can be able to vote 'aye' or 'nay' on their performance. I have no idea of the performance of those who live in Champaign County or any other



county. I don't even know their names."

Clerk Leone: "House Joint Resolution Constitutional Amendment 42 has been read previously."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "I have a question for the Sponsor. Representative Johnson, in some of the downstate circuits you have numerous counties, some of which are quite small. So you have a judge from an extremely small county that happens to be assigned and sits in the neighboring county or perhaps several counties away. The people in his county may know very little about him, not only that, because of the small number of voters it might be possible to maintain a campaign to unseat him or to retain him even though the people that are aware of his judicial talents or lack of them are in another county. What about that situation?"

Johnson: "Well, this...this Amendment covers the county of residents. Given the rarity of those situations and the need for some sort of approach to the problem, this would seem to me to be the most reasonable one. People...ninety-nine percent of the time people sit where they reside, and in the one or two cases where they don't, certainly those people who...particularly in multi-counties...small county circuits, are residents of the county where that judge resides, have a good deal of insight into his ability, background, talents and decisions."

Leinenweber: "I'm not sure that's entirely true that the... that the judge ninety-nine percent of the time sits in the county in which he resides. Do you have statistics on that or is that a guess or where did that figure come from?"

Johnson: "I don't have statistics, I just don't know of any situation other than on ad hoc basis where that isn't the case. It's true universally in our circuit."



It's true universally in the Eleventh Circuit. I...I don't have a study done on that particular subject but I know of no case where that wouldn't be the..."

Leinenweber: "Well, it's not necessarily in the Twelfth Judicial Circuit."

Johnson: "But it does...."

Leinenweber: "I don't what the experience of other circuits is, but in the Twelfth, the one...the only one that I'm familiar with, we've had...we have three counties, Iroquois, Kankakee and Will and quite often a judge from Iroquois will sit in Kankakee or even in Will, and a matter of fact would probably spend the majority of time in the two latter counties which are much bigger than Iroquois. I'm just not sure that would necessarily be fair, would solve the problem you're attempting to solve here."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Representative Johnson, how many resident circuit judges are in your county or in your...your counties that make up your circuit? How many resident circuit judges are there?"

Johnson: "You mean...how many..."

Giorgi: "Resident circuit judges."

Johnson: "Somewhere around twelve or thirteen, fourteen."

Giorgi: "And how many counties do you have in your district?"

Johnson: "Six."

Giorgi: "Why do you have two...why do you have two circuit judges...why do you have two circuit judges per county? Why do you need two circuit judges? Is this why you are introducing this, to save the necks of some of these circuit judges that should have been retired?"

Johnson: "No, as a matter of fact, not with respect to my particular area but probably quite to the contrary. One of the problems is when you've got a six county circuit, generally people if they don't know anything



it, almost universally vote 'yes' to retain them. And there is a good many areas..I can give you one example and I'm not giving an opinion one way or another on the judge, but in a particular circuit in our election...county in our election last time, the people within the county, one county in our circuit, voted overwhelmingly to throw a judge out. The people in the other five counties voted because they didn't know anything about him, or at least that was the reason...although I don't necessarily agree the people in that county. They voted overwhelmingly to keep him in. Whereas, the people where he sat and resides voted to throw him out. And I think all this does is say that people who are most attuned and in contact with the people...with the judge that sits there, ought to be the ones voting on it. This is certainly not intended to keep incompetent judges in office. It's intended to let the people who see and who are exposed to that judge and are in the best position to make a judgment on him to make that judgment. So it's really the opposite of what you say."

Giorgi: "But, certainly in a six county circuit, you don't have a work load to justify two circuit judges per county. You can't have that kind of a workload . How many associate judges do you have?"

Johnson: "I'm not trying to justify anything."

Giorgi: "Well, you ought to try to justify it because you're going to freeze them in with a Constitutional Amendment."

Johnson: "No we're not at all."

Giorgi: "You're not giving the people a chance to retire the extraneous number of judges..."

Johnson: "No that's..."

Giorgi: "...you've got in your circuit."

Johnson: "Representative Giorgi, that isn't what the Amendment does in any way. This Bill says that when



any circuit judge comes up for retention, we have the same retention process as before..."

Giorgi: "But you're freezing in the circuit judges..."

Johnson: "No you're not."

Giorgi: "You are allowing twelve judges, two to a county which are too many, and you don't have a workload to justify it. You ought to provide that some of those circuit judges are retired because you shouldn't have two circuit judges to a county in your six county district because your workload doesn't deserve it."

Johnson: "We have...in Champaign County we have four circuit judges."

Giorgi: "You don't..."

Johnson: "In Macon County, I think, there are four. And in each one of the small counties there are one. This doesn't freeze them in in any way. It doesn't affect their position at all. All it does is say that when they come up for retention, they're judged by the people in their own county rather than circuit-wide. It doesn't affect the number of judges at all."

Giorgi: "You should affect it, that's my point."

Johnson: "Well, if you want to..."

Giorgi: "You should be affecting the number of judges."

Johnson: "...if you want to support an Amendment..."

Giorgi: "You're freezing in judges that shouldn't be frozen in."

Johnson: "How are we freezing them in?"

Giorgi: "Because you're allowing resident circuit judges to run on retention when you should be eliminating some circuit judges because you don't have the workload to justify it. They ought to be replaced with an associate judge that doesn't run for retention."

Johnson: "Well, the point...the point is..."

Giorgi: "That's for sure, that's what the Amendment should provide."



Johnson: "You can't do that in one Constitutional Amendment Article. If you'd be...if you think that judges... they're too many of them, I certainly would be in... I'd sure be glad to look at your proposal. But this doesn't do that at all. The existing law now, without this Constitutional Amendment, would say that they still run for retention every...every four years. All this does is affect where they run for retention. It doesn't freeze anybody in at all. As a matter of fact, if anything, it's inclined to give people an opportunity to turn out bad judges and to keep a few good judges in. As a matter of fact, it probably would work to the direction of exactly what you want because if you have a resident judge, who the people feel is not doing his or her job, they're likelier to be turned out under this system than they are under the old system until you would have more turnover, which you want. The merit selection people, I have talked to, and they think it's a good idea. The people who support election of judges think it's a good idea because it keeps them accountable. I just don't see any objection to doing it and allowing people who are closest to the judges to be the arbiters on their particular judges. It doesn't freeze anybody in in any way."

Giorgi: "Those same people you're talking about are the people that promised us judicial reform in 1965. And here it's 1980 and we don't have judicial reform. You still have judges sitting out there with a caseload that's scandalous, ridiculous."

Johnson: "I don't..."

Giorgi: "I think there ought to be a place with a part-time associate judge. You're freezing them in with this retention method. You ought to be ashamed of yourself, a member of the Bar coming before our group here, asking us to freeze some judges that don't deserve a job."



Johnson: "Well, Mr. Speaker and Members of the House, I think you ought to read the Amendment. It has nothing whatever to do with freezing anybody in. And anybody who tries to turn it into a merit selection issue or an election issue or anything else just hasn't looked at the Constitutional Amendment. I don't disagree with Representative Giorgi. I think we've got to look to see that there's reform in a good many areas and I'd be willing to support that. But this doesn't speak to that at all. If anything, this is a reform Amendment. It says...it says exactly what people think all along. This would be equivalent to having people in Chicago decide whether the people in Bloomington ought to be reelected to the State Legislature. It doesn't make sense. And neither does it make sense for people from Decatur determining whether Champaign County judges ought to be retained or not."

Speaker Redmond: "Anything further? Representative Slape."

Slape: "Thank you, Mr. Speaker. Will the Sponsor yield."

Johnson: "Yes. Yes."

Slape: "Tim, is there a provision in there that says that if...if the people in another county can't vote on the quality of a judge when...the Chief Circuit Judge can't transfer him into their county to hear cases?"

Johnson: "I didn't understand your question, Mike."

Slape: "Well, I'll give you a for-instance. In our circuit we have Bond and Madison County, of course Bond has a light workload and our judge is traveling back and forth in to Madison County, and I was just wondering is there a provision in this that says now that our Chief Circuit Judge can't bring him back or send an associate judge out when the work load is light in Bond County?"

Johnson: "No, that wouldn't affect that at all, not in any way."



Slape: "Well it...what you're saying is that the judge is going into Madison County to hear cases and his reputation is not ever on the line in Madison County."

Johnson: "His county...if he's a resident judge in Madison and Bond County he'd run for election there...retention there."

Slape: "Okay, thank you."

Speaker Redmond: "Is there anything further? Representative Johnson to close."

Johnson: "Mr. Speaker and Members of the House, I just urge the Members to look at the digest and see exactly what it does. It provides for the retention elections to be conducted, at general elections, in the appropriate judicial district and in the county of residence for thirty judges. All it does change it from the circuit to the county of residence. It seems to me, it's common sense that if the voters want to be able to hold judges accountable for their performance in office that they ought to be in a position to be able to judge, based on what they know about them and not based on being five counties away where they don't have any idea what they do. It seems that this is an Amendment that touches both the people who believe in merit selection and the people who believe judges ought to be accountable. It's just common sense. Representative Leinenweber's point I think is raised by the language of the Amendment which makes it resident judges. And if they sit somewhere else, I presume they would be covered by that. But it seems to me most reasonable to hold people accountable for what they do by the people who know what they do. And it seems to me that when you have a judge in Sullivan, Illinois being judged by people in Decatur or Champaign, who don't even know his name let alone what he does or his performance or talents or background, that really makes



a mockery of the retention process. And I certainly think this Amendment speaks directly to that issue and I would urge your...your support."

Speaker Redmond: "The question is, shall the...House Joint Resolution Constitutional Amendment 42 be adopted? Wait a minute up there. We'll hold the vote on this. Representative Borchers."

Borchers: "Speaks French. We have...we have, I understand, a group of students who are staying for three weeks in Springfield attending the Isles School and they are from Mount 'Mulancy', France. Speaks French."

Speaker Redmond: "The question...the question is on House Joint Resolution Constitutional Amendment 42, that that would be adopted. Those in favor vote 'aye', opposed vote 'no'. For your information, the leader of the French students called me on the phone and said, 'What did that guy say?' Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 56...58 'aye' and 27 'no'. Having failed to receive the necessary Extraordinary Majority the Amendment is not adopted. House Joint Resolution Constitutional Amendment 43."

Clerk Leone: "House Joint Resolution Constitutional Amendment 43 has been read a third time previously."

Speaker Redmond: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Members of the House. House Joint Resolution Constitutional Amendment 43 has been dubbed in the past, the Citizen Legislature Amendment. It's received that name because it has that objective. One of its primary objectives is to change, in the long run, the recruitment trend in the Illinois General Assembly, to encourage people who have another full-time career, vocation, trade, profession to be able to take the time and the interest to contribute to public service by serving in the Illinois General Assembly. It



does that in a variety of ways, by limiting the length of the Session, by limiting the ultimate tenure of people elected after its effective date to ten years in either House. It does that by establishing a series of orderly procedures which will make it possible for this General Assembly to function in a more orderly and reasonable fashion, to deal with its work quickly and efficiently. One of the primary tools that it does that by is by substantially strengthening the Committee system in the General Assembly. We would seek to do that by requiring a Constitutional Majority on a Bill which is passed through Committee when it's sought to be amended on the floor of either House. Another primary objective of this Constitutional Amendment is to encourage better budgeting control by the General Assembly and by the State of Illinois. It does that by adopting a biennial budget. But a biennial budget of a different of a different form and shape from that which we've had in the past. Under the provisions of this Constitutional Amendment, the biennial budget would be submitted by the Governor in a year. What we would do would be to appropriate funds for half of the agencies, about half of the budget. Then in the second year, the Governor would submit a new biennial budget which included a two-year revenue estimate, two-year cost estimate and so forth by agency, and we would appropriate the other half of the budget. The objective there is so that the General Assembly, through its Appropriation Committee structure, can focus much harder and much longer on the base of the budget. I think everybody recognizes that what we do now is to deal with incremental budeting. We try to figure out how to spend the increase in revenues each year and we spend much too little time really focusing on the base of the budget which is from 95 to 96% of the budget each



year. Additionally, the Amendment carries a different form of Sunset provision, not inconsistent with the statutes adopted but which goes at a different subject. The statutes we've adopted on Sunset go at particular other regulatory statutes. This goes at the agencies themselves that administer those statutes. And it says that the Legislature cannot create such an agency with a life in excess of five years, to force us to focus on these perpetual spending machines, at some point certain, and before they get out of hand. I have agreed and the Senate Sponsor will back this up, to accept Amendments in the Senate that will correct certain flaws that some people have identified in this Amendment. The sixty day limitation of Session would be changed to seventy-five. Certain other, basically technical matters, would be corrected, particularly a provision that has concerned some Members on the salary provision. As now drafted, this would have a per diem salary. An Amendment will be adopted changing the salary system back to the current system the Legislature has. In other words, we would adopt the salary by statute under this Amendment too. I believe that this Amendment will lead to a decrease in the regulatory burden the government imposes on people. I believe that this statute...this Amendment will lead to a more orderly General Assembly process, particularly in the budgeting field. And finally, I believe that this will encourage the recruitment of new, creative, qualified people in the long run for the General Assembly. I think everybody can tell as we watch the range for the General Assembly be depleted year after year, as we look at the turn-over rates that we have, that in the long run we have to take effective steps to encourage qualified people to be willing to assume this burden and to run for this office. I believe this



Amendment will make that possible. Because what we will be looking for after this Amendment is a citizen who wants to make a public service contribution as a part-time adjunct to his full-time career. And I believe that's what the people of this state would like to see. I believe that's what we all know the General Assembly needs in the long run."

Speaker Redmond: "Representative Ebbesen."

Vinson: "I would urge adoption of the Amendment."

Speaker Redmond: "Ebbesen."

Ebbesen: "Would the Sponsor yield? Would the Sponsor yield?"

Yes, is this the result of some study by some organization or state-wide or is this something that you've developed on your own?"

Vinson: "Well it's a result of an awfully lot study and analysis by Representative Peters, Representative Totten and myself, which is an attempt to identify the problems people have talked about for some time. I think you've seen a number of other Amendments which go at specific aspects of the Constitution that this would change. And this Amendment really combines a number of those suggestions people have made."

Ebbesen: "But it's as a result of...you say of study on the part of three Legislators or has there been organizations state-wide and so forth involved in this modernization of state government and so forth."

Vinson: "And the other forty or so that have joined in Co-sponsoring it, Representative."

Speaker Redmond: "Representative Deuster."

Deuster: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I respect very much the three Gentlemen who are Sponsors...Principle Sponsors of this proposal, however I do rise in opposition. This Constitutional Amendment would change our two-year term to a four-year term. Whereas, that might make life a little



more comfortable and a little more easy for us and give us longer tenure, I do not think that this is good for the people. The second limitation that will be incorporated in this Constitutional change, is it will prohibit the people from electing any of us for more than three terms if they happen to approve of our public service. I think this is arbitrary and unwise. It may be the people in a particular district feel they have a champion for some cause or that they may have an outstanding Legislator, but this Constitutional Amendment would force the retirement of that Legislator. Politics is risky enough. There's... there's an opportunity to bringing careers to an end but that ought to be a choice of the people. This proposal in two ways takes away power from the people. It takes away their power to look over our performance every two years, as they do now, and decide whether we merit reelection. It also takes away their power to reelect us after three terms if they want to. Now prior to my four terms in the Illinois House, I was a campaign manager and assistant to a member of Congress for about seven years. And I know that every time you campaign, members of Congress are up every two years just as we are, some people who are your friends will say, 'Gee, isn't it too bad you have to be out here campaigning. You could be doing some other work'. But from my experience of twenty years in this election business, if there's one thing that keeps us close to the people and makes this House responsive to what the people want, it's the fact that we are up for election, we have to attend those campaign meetings, we have to come out and account for what we have been doing and listen to what the people want. Now whenever...when our Nation was founded there was a great debate. Some wanted the Congressmen to have a one-year term, some



wanted five years, they settled on two years. But there was one thing that came across strong then, and I think it's true today, and that is the people want relatively short terms. There's some people agitating for recalls so they can recall the Mayor of Chicago or recall some of us or recall others who upset them. But we have a fixed two year term. I think that's a reasonable term, a good term. I think we ought to stick with it. And I respectfully urge the others in this House to oppose this unwise proposal."

Speaker Redmond: "Representative Darrow. Oh, Pardon me, Representative Kane seeks recognition."

Kane: "Would the Gentleman yield? You indicated that you were going to take Amendments in the Senate. If you do take Amendments in the Senate, doesn't this Joint Resolution have to come back to the House and be read three times again? And if there are Amendments put on in the Senate, doesn't that effectively kill this Constitutional Amendment?"

Ebbesen: "Responding to your second question first. If there were Amendments put on in the Senate and if it had to be read three times in the House, that would not kill the Amendment. What it might mean is the people would vote on the Amendment in 1982, not 1980. Secondly, in response to your first question, I think if you read the Constitution of 1970 and the Constitution of 1870 and you look at the court decisions that were made under the Constitution of 1870 and the three Bill reading requirement that it's debatable that it has to be read on Concurrence three times or just one time."

Kane: "Don't our rules though require on Constitutional Amendments to be read in full three times without Amendment, so you would be going against the rule if is amended in the Senate?"



Ebbesen: "I don't believe our rules require that on Concurrence. I may be wrong about that but I don't believe they do."

Kane: "So effectively we have to deal with this Constitutional Amendment as it appears before us, not the way you say it might be amended in the Senate. Is that not correct?"

Ebbesen: "No, Sir, you'll have a shot at it again after the Amendments go on in the Senate."

Speaker Redmond: "Parliamentarian in the Chamber? Please come to the Chamber."

Kane: "Could I...could I ask you why you're limiting Sessions to sixty days?"

Ebbesen: "I think that if you analyze the length of Sessions in recent years in the Illinois General Assembly you'll find that a sixty day Session limitation is not tremendously at odds with the actual time we've spent working. But beyond that, I think one of the most important changes we could make in the Illinois General Assembly is to provide the assurance to the people that we won't be down here doing it to them every day of the year."

Kane: "Wouldn't this, however, increase the impetus to pass things without taking a very careful look at them?"

Ebbesen: "No, I don't believe so. I think it will have the reverse effect, Representative. One of the...one of the great improvements this Amendment would have on the process is to substantially increase the effectiveness and the diligence of the Committee system. And I think that will really produce much closer scrutiny than we give now to measures. One other change in the Amendment that I think will have an enormous impact on how closely we scrutinize things, you've been around on a few occasions when things we've never had a chance to look at all, I think copies have even failed to be on our desks, have been voted on coming out of Conference



Committee that have just been jerry-canned together. And this contains a provision which in fact invalidates that procedure for the future."

Kane: "If you want to strengthen the Committee system, why didn't you ever call this Constitutional Amendment to be heard in Committee?"

Ebbesen: "Well there are a variety of ways of strengthening the Committee system and I think this Amendment is like a shot of vitamin C for it, Sir."

Kane: "Why do you forbid Committees to meet on the same days that the House and the Senate would be in Session?"

Ebbesen: "We don't. We make it possible for them to meet on other days too."

Kane: "Why...you say that you're strengthening the Committee system, but effectively, I think, if you look at the language at the bottom of page 4, is that you forbid Committees to adopt Amendments to Bills that are assigned to them. Specifically the language says, 'No Bill which has been assigned to a Committee of either House may be amended unless the Amendment is approved by a Majority of Members elected to the House adopting the Amendment'. As I read that language, a Committee cannot amend a Bill at all unless that Amendment comes back to the floor and is adopted by 89 votes in the House. I don't see...I don't see how you can say you're strengthening the Committee process if you do not allow Committees to amend Bills."

Ebbesen: "Well, it's true that a tortured reading of that language could come out with the result you're talking about, and for that reason I have absolutely committed to accept an Amendment which makes clear that that is not the case and which changes that language so that the Committee can amend the Bill with the Majority of the Committee. But..so that after the Bill comes to the floor it can only be amended with a Constitutional



Majority on the floor. I think you're right that it's appropriate for us to be careful about that language and I have agreed to an Amendment on that subject."

Kane: "Under this Amendment, the Legislature will never to get look at a full Governor's budget, is that correct?"

Ebbesen: "No, that's exactly wrong. What this compels the Governor to do is to submit each year a biennial budget so that we get a very good look at the budget each year. It does just the opposite. And it particularly invites us to get into the base of the budget rather than, as I said, just focus on increments to the budget, Representative."

Kane: "Each year the Governor puts out a biennial budget but for only half of the state agencies. Is that not correct?"

Ebbesen: "He puts out a biennial budget which deals with, in total, the question of total spending and the question of total revenue. He proposes spending in a specific year for only half of the agencies. And then in the next year for the other half of the agencies."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to address myself to this Constitutional Amendment that was never heard in Committee, no testimony was ever heard. And I think that if this Amendment is adopted it would undermine the whole General Assembly system. It would undermine our Committee system. It would undermine the deliberative process. If this Amendment is adopted it would cut substantially the time that the Legislature can deliberate on any matter that is brought before it and it reduces the incentive of Members to spend time either in Committee or on the floor of the House. The Legislature in Illinois already reacts much too quickly and much too forcefully to outside influences. And I think that if we adopt this



Amendment it will strip the Legislature of most of its remaining power. If you look at what's been happening in states that have similar requirements... similar Constitutional requirements to those contained in House Joint Resol...Joint Constitutional Amendment 43 which...limits on times and limits on everything else, is that the Legislature in those states are the captives of the Executive or the captives of private interest groups. In Kentucky, it has a sixty day limit on its Session...and there is a limit on the amount of time that the Legislature...Legislature can be reelected. In fact, there's about...almost a two-thirds turnover every two terms. And what happens in the Kentucky General Assembly, and has consistently for the last forty years, is that Governor introduces his Amendment...his budget in one Bill on the first day of the Session and it is back on his desk, without Amendments, on the fifth day of the Session. And it has been passed by both the House and the Senate and Kentucky has those same kinds of three day Readings that we require. And so if we want to give our authority to the Governor, if we want to give our authority to outside interests groups, then vote 'yes'. If we want to keep the Legislature as a separate and equal branch of government, a branch that individual constituents can come and be heard, I would urge a 'no' vote."

Speaker Redmond: "Representative Reilly."

Reilly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise somewhat reluctantly to oppose this Amendment. I say reluctantly both because Sam and Peter are both good friends of mine and also because I think there is some danger of being misunderstood. There will be those who will say that some of us simply like spending time here. Anybody who's crazy who likes



spending here, but there are some who will think that that's why we're opposed to this. But...I am also reluctant to do so because I agree with much that is in the Amendment. Lord knows, we need to limit the number of Bills that we each introduce and Lord knows that we need to strengthen the Committee system and spend more time thinking about we do and less time simply machine-gunning Bills out of the House. And I think nobody has been anymore active than I have been in trying to amend the House Rules and procedures, particularly in the appropriations area to make that true. But I think I must focus a little on the time limit and the biennial budgeting question. And indicate to you that, at least in my mind, the mythology has grown up over the last few years. There are a lot of people who are saying as if it were the received wisdom that in 1970 we made a big change from biennial Session, the old golden age, to annual Sessions and chaos and lots of spending. That's a myth. There's just no truth to that. If you will look clear back into the Bill Stratton administration, clear back into the 50's, de facto annual Session with all of the problems of working around the rules of the 1870 Constitution became a fact, not because somebody said they ought to but because the realities of financing in that time were...that even then, with a much smaller budget, we could not deal with appropriations over a two year period of time, still less can we do that today. Those who say that we made a big change...a big mistake in 1970, are simply ignoring that history, that fact that in fact we were having annual Sessions long before that. Furthermore, there's always this kind of simplistic reasoning that says we appropriated ...whatever, four billion dollars then, we appropriate fourteen billion dollars now. My gosh, that must be



because of annual Sessions. Hog wash. That's because of the income tax, that's because times have changed. I certainly agree that we have to get a better handle on the budget. We have to have a way to deal with the budget as a whole and I have passed legislation out of this House, which is now sitting in the Senate, which would do that. But to say that when we can't make a meaningful guess now as to how much the state is going to take in or needs to spend over the next year, to say that we can somehow do that for two years is just not true. I wish it were true. I wish the reforms that I think are good in this Amendment were supportive ...that I could support them, but I simply can't. I don't think any of us can do that. It's hard enough to guess now, it's even harder...it's the impossible to do. So what we will have is a defacto annual budget. Again, no matter what you say, the realities are that you can't do it. That was proved before the 1970 Constitution, it will be proven again. So what we'll have is hundreds of supplemental appropriations. We'll have just as many Appropriations Committee meetings every year on every agency as we do now. We'll do them in a much more confused way. This has been demoninated the Citizen's Legislature Initiative. I think it could better called the Wishful Thinking Amendment. I wish I could support it. I wish that golden age had been real. I wish we could return to it by adopting this Amendment, but wishful thinking won't make it true. I urge a 'no' vote."

Speaker Redmond: "Representative Macdonald."

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise reluctantly because of the three fine Sponsors of this Constitutional Amendment. But I would have to say that the separation of powers locked into our Constitution, both at a federal level



and at a state level, are extremely essential to the rights of the people both of the Nation and of this state. I would vehemently oppose their right to change one Body every two years of the General Assembly. I think that this takes away a historic right that is extremely important to the people of this State of Illinois. I would also say that, as one Gentlemen who passed my desk mentioned, that first of all we passed a law increasing our salary and now we want to Constitutionally guarantee that we are not going to work for those salaries. To extend our terms to four years is absolutely out of the question. I think it takes away a right of the people that certainly should be...not be violated in this particular Body. I urge you to think very carefully about what we are doing and particularly about the separation of powers that is threatened by this particular Constitutional Amendment. We can, by rules and by self-discipline, do all of the things that are included in this particular Amendment. And I think it is wrong for us to be considering this kind of a Constitutional Amendment that would so drastically change the Constitution of the State of Illinois. Thank you."

Speaker Redmond: "Representative Vinson to close. Representative Peters."

Peters: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I certainly respect the remarks made in opposition to this Amendment by my colleagues. But let me suggest to the Members of the House that what we attempted to do in putting this Amendment together was to bring, in one package, the various kinds of reforms that have been suggested, the various criticisms that have been levied against the General Assembly, the various ideas that have been proposed in terms of, quote, 'improving' the product of the General Assembly. In my



view, one of the greatest handicaps we have as Legislators is the continued and the constant problem of having to respond to community groups, to media, to reform groups, to so-called reform groups, to people of good intent and to people with their own personal agendas as to why the House operates in the manner that it does. All of us are faced in every campaign in two years by the special and the private interest groups that come to us and talk about the fact that you're in Session too long, you pass too many Bills, you're not in Session long enough, you didn't pass my Bill, you get paid too much, you're there too long, stay home, you're term is too short, you're always campaigning, you're always pandering to the interests of a special group, you should be there longer, you should have some kind of independence, there ought to be a limit on terms so that there's new blood coming in, no there shouldn't be any fresh new blood, we ought to have people elected once and leave them here for as long as they want. We've got Conference Committees that change Bills and legislation to the fact they're not recognized from what they've come in, that's a criticism. And yet, you and I know that in terms of this Assembly and the time restraints, the issue restraints the problems. There is many times no other way that we can handle that except to change Conference Committee reports. We've got problems with agencies that we set up. When we set up an agency, should it be for a year, should it be for two years, should it be Sunset, shouldn't it be Sunset? Who decides when it's Sunset? If we set up an agency that affects the medical society, do doctors decide if it's Sunset? If we set up an agency that decides consumer rights, will consumers decide on Sunsets? Do we fool ourselves at all when we talk about Sunset legislation? Is that another one of those



reforms that sounds good on the day of election, that looks good in an editorial in the paper but in terms of the Body politics means nothing? What we had attempted to do with this Amendment, and I'm sorry that some Amendments in fact were not adopted to this to make clear our position, is that for once and for all, in a sense, bring before this Body and bring before the public a discussion over an election period of four, five or six months and have the media, the people who make public opinion, those of us in the General Assembly discuss this issue and finally decide where we are going. Are we, in fact, or would we in fact be a better General Assembly if our terms were four years and we did not have to go back every two weeks and listen to what the unions wanted, the Chamber of Commerce wanted, the group from mental health wanted, what PTA wanted? Would we not be better off if we had some time to say, 'Hey, we're free of pressures', and in one year or two years we could vote for what we really thought made sense for the Body politics? Does it makes sense to say there ought to be a limit on terms? That's an issue that a lot of people are talking about and I think we ought to start thinking about it. Maybe it's good, maybe it's not, but we ought to start thinking about it. We've had the argument about biennial Sessions since we passed the Constitution in 1970. And that argument is not going to stop this year, it will be back next year and it will be back the year before...after that and the year after that. All that we're suggesting is that we end up saying to the public, 'Hey, if, in fact, you think that is the way it ought to work, this is a democracy, people can speak out on the issues. You make up your mind'. But damn it, once you've made up your mind, you give that Legislature the opportunity and the chance to function in the kind of climate that



it can function, free of undue pressure, free of screaming and yelling and headline hunting so that we can establish the kind of long-term programs and do the long-term kind of thinking that we need in this state if we're to answer the problems of the 80's and the 90's and go into the next century. Now, maybe I'm too optimistic, maybe I expect too much of what we can ...end up happening..."

Speaker Bradley: "Would the Gentleman bring his remarks to a close."

Peters: "The Gentleman is ready to conclude. But I think these are the things that we talked about when we brought this Amendment up. And not in terms of running around the state screaming, saying cut back the Legislature, cut back the judges, knock out retention, cut the income tax, don't fund the RTA and all those other slogans that we end up hearing, and which we begin soon to believe as fact. And in the quiet moments of our heart we know they're as phony and as bologna as sometimes the day is long. Sooner or later, Ladies and Gentlemen of this Assembly, and I address those in the media, we, as a society as a whole, are going to have to determine where we are going into the 80's and into the 90's whether we limp along or whether, in fact, we give the Legislature the opportunity to do what we're supposed to be elected to do. For that reason, although it's not the best thing, but I hope it brings up more public discussion, I support this Amendment."

Speaker Bradley: "The question is on the adoption of the House Joint Constitutional Amendment #43. All in favor signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. Please record Bradley as 'aye'. On this question there are 71 'ayes', 72 'nays'. And the motion having failed to...Mr. Vinson."



Vinson: "Postponed Consideration."

Speaker Bradley: "Put it on Postponed Consideration. Are there any objections? Hearing none we'll...it will be placed on Postponed Consideration. On Calendar on page 8 is HJRCA 44, Representative Breslin."

Clerk O'Brien: "House Joint Resolution..."

Speaker Bradley: "Out of the record. HJRCA 46."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #46. This Resolution has been read a third time previously."

Speaker Bradley: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, this is a very simple Amendment and I think voting against it would be like voting against motherhood. The Constitution provides that there shall be a Courts Commission which will look into possibilities of wrong doing by the judiciary. The problem is that...the thing that happened is that when the judge really gets under fire he retires and takes his pension and the Courts Commission has ruled that the information they had was confidential. This merely provides that when they find evidence of illegal acts on the part of judges that this has to be turned over the State's Attorney for prosecution. I think everybody understands it. I think that the judges should be subjected to the same provisions that everyone else is under the law. And I can tell you that there is one chief that I know of where they merely confronted the judge, he took his pension, he now rides around on a full pension, is in free and they refused to give the information to the State's Attorney. I think this is a simple enough Amendment that everyone can understand it. I move its adoption."

Speaker Bradley: "Discussion? Hearing none, the question is on the adoption of House Joint Const...I'm sorry. The



Lady from Cook, Mrs. Willer."

Willer: "Yes, thank you, Mr. Speaker. This provision would totally violate the confidentiality provision in the Constitution for the Judicial Inquiry Board. If the matter...the charges are a matter of public record. then let the prosecutor get his own evidence. You know, it's either one or the other. If it's confidential then therefore they cannot divulge it or if it's a matter of public record, the State's Attorney can get his own evidence. This is not only not necessary, this would be extremely harmful to the Judicial Inquiry Board and I would urge a 'no' vote."

Speaker Bradley: "Further discussion? The Lady from Cook, Mrs. Pullen."

Pullen: "Will the Sponsor yield for a question?"

Speaker Bradley: "He indicates he will."

Pullen: "Mr. Sponsor, a few weeks ago in Ohio there was a judge who was accused and apparently brought to...up on charges, I believe it was soliciting for prostitution and attempted rape in situations where he was using his, allegedly, using his power as a judge to get favors from female witnesses, complaintants, defendants and such."

Friedrich: "Sexual harassment."

Pullen: "It was a lot further than sexual harassment, but that was what was involved, yes: Would this Bill make it possible to prosecute such a judge in Illinois as well?"

Friedrich: "Well, I think...so that there's no misunderstanding in case you've got...don't have the Amendment before you. This is about four or five lines and if you'll permit me to take the time of the House I'd like to read it. 'Information obtained or received by the Judicial Inquiry Board in connection with any investigation herein pursuant to this Section which reasonably relates...'"



Speaker Bradley: "Mr. Friedrich, just a minute. What purpose does the Gentleman from Cook, Mr. Henry, arise?"

Henry: "Thank you, Mr. Speaker. Will some...will you direct Representative Williamson to come out of the gallery please?"

Speaker Redmond: "Representative Williams...Williamson. Where is he? Proceed, Mr. Friedrich."

Friedrich: "Well, I think that's a disruption and I may... better start over. I hope you won't allow any more interruptions while we're doing this."

Speaker Bradley: "Proceed."

Friedrich: " 'Information obtained or received by the Judicial Inquiry Board in connection with any investigation or hearing subject to this Section which reasonably relates to the judges or associate judges criminal misconduct shall be furnished to the appropriate State's Attorney within 30 days of the completion or termination of proceedings before.' Now if that, answering your question, I'd say if that's a criminal act they would have to be turned over to the State's Attorney."

Pullen: "I'm trying to address what was just mentioned by the previous Speaker where these things would be matters of public record or else they would violating confidentiality. It seems, and tell me whether or not you think I'm right, that the type of activity that this judge in Ohio has been charged with would not necessarily be a matter of public record. And that the only way that he could be prosecuted, discovered and punished would be if this Amendment were to go into effect if such a situation were to be taking place in Illinois."

Friedrich: "As a matter of fact, other information turned over to the State's Attorney is not a public record either and it's up to the State's Attorney to determine whether or not he wants to prosecute. That wouldn't



differ in any way from what we have right now in any other case."

Pullen: "So you believe that it's necessary...it may be necessary to put the interest of the public above the interest of confidentiality of the the Judicial Inquiry Board?"

Friedrich: "I certainly do because I know of...the case I mentioned where they...they chose to call it confidential information when the charges were very serious. But once the judge resigned they say I'm sorry he's out of our jurisdiction and it's confidential information and we can't tell anybody about it."

Pullen: "And this refers only to possible criminal conduct?"

Friedrich: "It says specifically criminal misconduct."

Pullen: "Thank you very much."

Speaker Bradley: "The Gentleman from Cook, Mr. Stearney.

Oh, we have with us a former Member of the House in the center aisle, Bob Brinkmeier. Glad...nice to see you back, Bob. The Gentleman from Cook, Mr. Stearney."

Stearney: "Would the Gentleman yield?"

Speaker Bradley: "He indicates he will."

Stearney: "If you're concerned with criminal misconduct of a judge and the evidence to be turned over to the State's Attorney, why is it that a State's Attorney could not conduct his own investigation? What evidence could he get from the Judicial Inquiry Board that he could not secure by conducting his own grand jury investigation?"

Friedrich: "Well I'm not being facetious when I say if the Judicial Inquiry Board conducted the investigation you would assume it was done by competent people who would produce evidence that would be suitable for the State's Attorney. As a lawyer you might appreciate that too."

Stearney: "Well it seems to me that if a particular State's Attorney is...interested in investigating any criminal



misconduct on behalf of any judge, then he should conduct his own investigation. He has the Grand Jury, he has the Grand Jury subpoena powers. He can subpoena before that Grand Jury any witness he so wishes, including the judge himself. At that time if the judge wished invoke the fifth Amendment on his behalf he could do so under our present Constitution. So I..."

Friedrich: "The discretion to prosecute would still be with the State's Attorney."

Stearney: "But never...absolutely. So I don't see what you're hoping to accomplish by this when the State's Attorney has it within his power now to secure that very same evidence he's looking for."

Friedrich: "I am..."

Stearney: "If the Judicial Inquiry Board could secure that evidence so too could the State's Attorney. So for that reason, Mr. Friedrich, I would think there's really no reason for amending the Constitution."

Friedrich: "Then I suggest you vote 'no'."

Stearney: "And I will do so and I think the Members of the House should do so considering that the State's Attorney has that very same power now."

Speaker Bradley: "The Gentleman from Cook, Mr. Conti."

Conti: "I move the previous question."

Speaker Bradley: "The Gentleman moves the previous question. All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Gentleman...Mr. Friedrich to close the debate."

Friedrich: "I can tell you know you have not been watching the courts. They are really running a closed shop. What's theirs is theirs and what they do is none of your business. What I am saying is when a judge commits a criminal act it's my business and it's your business and it's the people's business. And they have an obligation to turn this over to the State's Attorney and



they are now refusing to do it on the grounds it's confidential. This merely says when there's a criminal act involved they shall turn it over to the State's Attorney. I don't think it's too hard to understand. If you approve of a criminal...misconduct on the part of the judges then vote 'no'. If you think it ought to be brought out in the open then vote 'yes'."

Speaker Bradley: "The question is on the adoption of House Joint Constitutional Amendment #46. All in favor signify by voting 'aye', opposed by voting 'no'. Representative Conti for the purpose of an introduction."

Conti: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, represented by Representative Bower, Robbins and Brummer we have the Albiongrade school honor students up in the balcony back here."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 'ayes', 26 'nays' and the... House Joint Constitutional Amendment #46 is adopted. Mr. Friedrich...by a three-fifths Majority."

Friedrich: "Thank you. Mr. Speaker, I might say this might be an exercise in frustration. I understand the Senate the Senate is going home on Friday anyway so they're thwarting any effort on our part to amend the Constitution anyway I think."

Speaker Bradley: "In view of that fact, then House Joint Resolution Constitutional Amendment #47."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #47. This Resolution has been read a third time previously."

Speaker Bradley: "The Lady from Cook, Mrs. Pullen."

Pullen: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Joint Resolution Constitutional Amendment 47 is very simple and I think it will be pretty easy for the Members of this House to understand because



it relates directly to an experience we have all been going through for the last fifteen months. It says that if the Governor or the Legislative Leaders call a special Session he is to state the purpose of the special Session but he may not limit the special Session to the consideration of any specific Bill or Bills. During this biennium the Governor of the state has repeatedly called special Sessions for the purpose of considering House Bill whatever and has consequently tied the hands of this Legislature by limiting our consideration of a particular subject matter to only the Bill that he wants them to consider. The most glaring example coming to mind was last summer when we had the special Session on the corporate personal property tax replacement when there was an amendatory veto of a Bill which we had to vote up or down, take it or leave it, to accept the Governor's veto as it was...in the way he amended it or to kill corporate personal property tax all together and end up with bankrupting the local government in this state. Because the Governor mentioned specifically that Bill number as the stated purpose of the Session and therefore limited our consideration to that Bill alone. This Amendment was approved unanimously, as I recall, by the House Executive Committee and I would appreciate adoption of this Resolution. Thank you."

Speaker Bradley: "Discussion? Discussion, hearing none the question is on the Lady's motion to adopt House Joint Constitutional Amendment #47. All in favor of adoption signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? John Sharp. Have all voted who wish? Mr. Skinner to explain his vote."

Skinner: "There must be something wrong with the board, somebody is voting against this. Could you recheck the wiring or something. No Legislator should be voting



against this. This is for legislative prerogative.

If you want to be Governor run for it."

Speaker Bradley: "He's going to. Have all voted who wish?

Mr. Stearney. Push Mr. Stearney's button. The Clerk will take the record. On this question there are 162 'ayes', 1 'no' and the House does adopt House Joint Constitutional Amendment #47 by a three-fifths Majority. J.J. Wolf has a motion on...regarding Senate Bill 1653."

Wolf: "Thank you, Mr. Speaker, I'm handling this for Representative Winchester in his absence. Senate Bill 1653 was passed out of Appropriations I Committee yesterday and I move that this be moved to Second Reading, Second Legislative Day. This is emergency legislation to insure that the Department of Administrative Services has enough money to pay the workman's comp. claims. Apparently they've run out of money and this extra day will be helpful in getting those people paid."

Speaker Bradley: "Are there any objections on the Gentleman's motion? If not, do we have leave to use the Attendance Roll Call? Leave has been granted and it will be on Second Reading, Second Legislative Day. One more piece of business on HJRCA on page 12 and HJRCS #12. Mr. Friedrich."

Friedrich: "Mr. Speaker, this is a motion to discharge the Committee on Executive. I have talked to the Chairman on this. I don't think he's going to object to it. It's another one of those deals where it never had a real chance with a full Committee for hearing. It has to do with the election of the State Superintendent as opposed to the appointment method. I think that the people ought to have the right to vote on it and I have a motion to discharge. I think you all understand what it is."

Speaker Bradley: "In view of the statements you just made..."

Friedrich: "I would take a Roll Call whether it's up or



down."

Speaker Bradley: "All right. Any discussion? On the Gentleman's motion, all in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. His light isn't blinking. Turn your light on. Mr. Stuffle, what purpose do you rise? To explain your vote?"

Stuffle: "Yes, Sir. I did punch my light. It's now on, it wasn't on before. Representative Friedrich is exactly right. We had this Constitutional Amendment, he and I, in Committee. It was finally called when there were few bodies there. When we initially attempted to have it called the Chrysler Bill was up and it took the entirety of the Committee meeting. We think this is a subject of great importance that ought to be brought up on this floor and voted up or down and given a fair hearing. Representative Capparelli attempted as best he could but as I said the bodies simply weren't there to debate the issue fairly or to give it the consideration that would have brought it out. And I would ask for an 'aye' vote."

Speaker Bradley: "The Gentleman from Cook, Mr. Walsh. Mr. Walsh wants to be recorded as 'aye'. Mr. Hoff...is the voting...it's open, it's open. The vote is open. The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you much...very much, Mr. Speaker. I can see by the count on the board and I understand the circumstances as far as the Senate is concerned but I do not want to pass up the opportunity to make sure no one thinks I've changed my mind. I'm opposed to this Constitutional Amendment. I think that hopefully in the not to distant future we'll have an opportunity to see it offered in a different set of circumstances."



And if that's the case, I think that this kind of Amendment is not likely to be proposed after that time."

Speaker Bradley: "The Gentleman from Sangamon, Mr. Kane."

Kane: "Parliamentary inquiry. Does this require 89 or 107?"

Speaker Bradley: "Have all voted who wish?"

Kane: "Whoa, whoa, whoa, does this require 89 or 107?"

Speaker Bradley: "Eighty-nine."

Kane: "Thank you."

Speaker Bradley: "Have all voted who wish? The Clerk will take the record. Oh, I'm sorry, Mr. Schneider. Mr. Schneider to explain his vote. On this question there are 108 votes...108 'ayes', 47 'nays', and the Gentleman's motion is adopted. Any announcements? Any announcements? Mr. Yourell."

Yourell: "Yes, thank you, Mr. Speaker. Counties and Townships will meet at four o'clock in room D1. We have about eight Bills, and we shouldn't be more than an hour."

Speaker Bradley: "We have a Death Resolution to adopt."

Clerk Leone: "House Resolution 738, DiPrima, in respect to... Giovanni Butera."

Speaker Bradley: "Mr. DiPrima moves the adoption of the Resolution. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, the Resolution is adopted. We have four requests for vote changes."

Clerk Leone: "Representative Donovan requests to vote 'aye' on House Bill 296, motion #2."

Speaker Bradley: "Leave? Hearing no objection, leave is granted."

Clerk Leone: "Representative Katz requests to vote 'no' on House Bill 262."

Speaker Bradley: "Does he have leave? Hearing no objection, leave will be granted."

Clerk Leone: "Representative Davis requests to vote 'yes' on Senate Bill 1239."

Speaker Bradley: "Does the Gentleman have leave? Hearing no



objections, the Gentleman has leave."

Clerk Leone: "Representative Davis requests to vote 'yes' on House Bill 447."

Speaker Bradley: "Does the Gentleman have leave? Hearing no objection, leave will be granted. The Lady from Cook, Mrs. Chapman, for the purpose of an announcement."

Chapman: "Thank you, Mr. Speaker. Appropriations II will not need to meet tomorrow until 9:30. The time that is posted is 8:00 A.M. The time we will begin is 9:30. However, Democratic Members of Appropriations II will gather at 9:00 in 122 B for a briefing."

Speaker Bradley: "The Gentleman from Cook, Mr. Lechowicz. And the Clerk will need five minutes perfunct. Mr. Lechowicz on...oh, the Gentleman from Cook, Mr. Laurino, for the purpose of an announcement."

Laurino: "Yes, Mr. Speaker, the Elections Committee will meet immediately after adjournment in D-1."

Speaker Bradley: "Any other announcements? Yes, Mr. Terzich."

Terzich: "Mr. Speaker, the Personnel and Pensions Committee will meet at 4:00 in 122 B."

Speaker Bradley: "Now then, the Gentleman from Cook, Mr.... Mr. Pierce, did you want to make an announcement?"

Pierce: "Yeah, the House Revenue Committee will meet immediately upon adjournment in 118. It's the second week in a row that we've met over an hour late which I think is a discourtesy to the Wednesday Committees."

Speaker Bradley: "The Gentleman from Cook, Mr. Lechowicz. And the Clerk needs ten minutes perfunct."

Lechowicz: "Mr. Speaker, Ladies and Gentlemen of the House, I move now that the House stand adjourned until 1:00 P.M. tomorrow after ten minutes Perfunctory Session for the Clerk."

Speaker Bradley: "All in favor of the Gentleman's motion signify by saying 'aye'. The 'ayes' have it and the...Mrs. Will, what purpose do you rise?"



Willer: "Well I just wanted to say, Mr. Speaker, that
Judiciary II was meeting immediately."

Speaker Bradley: "All right. The House stands adjourned
until tomorrow at 1:00."

Clerk Leone: "Committee Reports. Representative Capparelli,
Chairman of the Committee on Executive to which the
Bills were referred, action taken April 30, 1980, and
reported the same back with the following recommendation:
Be adopted Senate Joint Resolution Constitutional
Amendment 16 and 56. Representative Katz, Chairman
from the Committee on Judiciary II, to which the
following Bills were referred, action taken April 30,
1980, and reported the same back with the following
recommendations: Do Pass House Bill 2935, 2947, 2948,
2949, 2950, 3272, 3293, 3294 and 3295. Do Not Pass
House Bill 3275. Do Pass As Amended House Bills 2788,
3120, 3292, 3296, 3314, 3458, 3511. Do Not Pass As
Amended House Bill 277. Do Pass Consent Calendar,
House Bill 3429. Representative Jaffe, Chairman of
Committee on Judiciary I to which the following Bills
were referred, action taken April 30, 1980, and reported
the same back with the following recommendation: Be
Adopted House Joint Resolution Constitutional Amendment
1. Representative Emil Jones, Chairman of the Committee
on Insurance, to which the following Bills were referred,
action taken April 30, 1980, and reported the same back
with the following recommendation: Do Pass House Bill
3344. Do Pass Amended Short Debate Calendar, House
Bills 1839, 3435 and 3485. Representative Schneider,
Chairman of the Committee on Elementary and Secondary
Education, to which the following Bills were referred,
action taken April 30, 1980, and reported the same back
with the following recommendations: Do Pass House Bills
3070, 3071, 3114, 3153, 3353, 3424, 3426, 3456, 3536,
3556. Do Pass As Amended, House Bill 2975, 3127 and



3209. Do Pass Short Debate Calendar, House Bill 3079. Representative Garmisa, Chairman from the Committee on Transportation, to which the following Bills were referred, action taken April 30, 1980, and reported the same back with the following recommendation: Do Pass As Amended House Bills 3160, 3488. Do Pass Short Debate Calendar, House Bills 3448, 3506. Interim Study Calendar, House Bill 3563. Do Pass House Bills 2866, 2914, 2920, 3206, 3236, 3237, 3368, 3489, 3490, 3548. Being no further business, the House stands adjourned."



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